

# **Birmingham City Council**

## **Planning Committee**

**22 June 2017**

I submit for your consideration the attached reports for the **South** team.

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
No Prior Approval Required	8	2017/04904/PA  Fitness First/Bowling Alley Persnore Road Stirchley Birmingham B30 2YB  Application for Prior Notification of proposed demolition of former Fitness First and bowling alley

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Committee Date:	22/06/2017	Application Number:	2017/04904/PA
Accepted:	01/06/2017	Application Type:	Demolition Determination
Target Date:	29/06/2017		
Ward:	Selly Oak		

**Fitness First/Bowling Alley, Pershore Road, Stirchley, Birmingham, B30 2YB**

**Application for Prior Notification of proposed demolition of former Fitness First and Bowling Alley**

Applicant:	Lidl UK GMBH Axletree Way, Wednesbury, West Midlands, WS10 9QY
Agent:	Poole Dick Associates Home Farm, Keele University, Newcastle-Under-Lyme, Staffordshire, ST5 5AA

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Recommendation

**No Prior Approval Required**

1. Proposal

1.1. This application is made under the provisions of Part 11 of the Town and Country Planning (General Permitted Development) Order 2015 and seeks a determination as to whether prior approval is required for the method of demolition and site restoration of the former Fitness First gym and bowling alley at Pershore Road, Stirchley.

1.2. The stated method of demolition is “traditional/mechanical” methods, and it is proposed that the site would then remain hoarded up until the site is redeveloped.

1.3. [Link to Documents](#)

2. Site & Surroundings

2.1. The application site is located on the east side of Pershore Road, adjacent to its junction with Cartland Road, at the northern end of Stirchley District Centre (outside the Primary Shopping Area). It is currently occupied by a substantial, flat-roofed building, part of which is ‘on stilts’ with undercroft parking. The building was until recently utilised for ten-pin bowling and as a gym/fitness centre (the gym ceasing operation at the end of May this year).

2.2. There are two existing vehicular access points from Pershore Road, with further parking provided in front of the building. There is a large hard surfaced area to the rear, which, although accessible, is not laid out formally and does not appear to be utilised.

2.3. The gardens of houses on Bewdley Road back onto the northern boundary of the site, with further residential properties beyond this (mixed with some commercial

uses on the Pershore Road frontage). The Bourn runs parallel to the southern boundary, largely obscured by trees and other vegetation at this point. Beyond this is a wide grassed buffer extending to the back of pavement on Cartland Road, within which is an existing pumping station. Pedestrian routes exist across this area, providing access to the Bourn and the River Rea, which runs parallel to the site's rear (eastern) boundary beyond a further pumping station building, with a footpath/cycle path extending from here northwards to Dogpool Lane.

- 2.4. There is a busy traffic-light junction where Cartland Road meets Pershore Road, which incorporates pedestrian crossing facilities. In addition, slightly to the north of this, opposite the application site, are two further junctions (on the west side of Pershore Road) with Ribblesdale Road and Warwards Lane. There are groups of commercial units located around these junctions, although the side roads themselves are predominantly residential. Beyond Cartland Road to the south, Pershore Road is predominantly residential on its east side (up to Church Drive). In contrast, the west side is commercial, with a number of units being set back from the main road behind a landscaped frontage.
- 2.5. The topography of the site gently falls to the south towards the River Bourn. There are no significant trees within the site, but substantial planting along the eastern and southern boundaries. The site is located in Flood Zones 2 and 3.

### 3. Planning History

- 3.1. There is extensive planning history associated with the former/current use of the site, including extensions, alterations, signage and antennae. More significant/recent applications of note include:
- 3.2. 19<sup>th</sup> July 2001. PA No. 2001/02910/PA Removal of condition 2 of planning permission E/C/21709/9 to accommodate a health and fitness centre within Class D2 (Assembly and Leisure) Use – approved.
- 3.3. 2<sup>nd</sup> September 2015. PA No. 2015/05680/PA. Pre-application advice for the demolition of existing building and erection of retail foodstore.
- 3.4. 26<sup>th</sup> January 2016. PA No. 2015/08699/PA. Demolition of existing buildings and erection of Class A1 retail foodstore with associated works – withdrawn.
- 3.5. PA No. 2017/01245/PA. Erection of replacement sub-station – current application.
- 3.6. PA No. 2016/00664/PA. Demolition of existing buildings and erection of Class A1 foodstore with associated works – current application. Originally approved 9<sup>th</sup> February 2017, but subsequently quashed on 27<sup>th</sup> April 2017.

### 4. Consultation/PP Responses

- 4.1. Regulatory Services – response awaited.
- 4.2. Transportation - response awaited.
- 4.3. Western Power – response awaited.

4.4. Residents associations and Selly Oak Councillors notified by the Local Planning Authority, site notice displayed by the applicant. At the time of report publication, objections received from Councillor Locke and the Stirchley Neighbourhood Forum, summarised as follows:

- The proposed demolition will cause much anger to the residents of Stirchley, as two popular local businesses have closed and jobs have been lost;
- Concern about the roads;
- Concerns about the environmental aspects of demolition, particularly in relation to nearby residents in Bewdley Road and Cartland Road, passers-by and road users. It was expected that any hazardous substances (eg asbestos) would be identified in a survey and would be disposed of appropriately before the main demolition. Similarly, items such as water tanks or air conditioning units be drained before demolition to ensure no run-off into nearby water courses. Also concern about the effects of dust.
- For site restoration, at the very least an expectation that the site would be left (and kept) clear and tidy. Suggest that local artwork be affixed to site hoardings, to enhance the street view and promote local interest. The site should be secured to ensure that there is no inappropriate vehicle access.
- Ideally, residents would like to see the site brought into some sort of community use pending development, for example sports pitches or environmental enhancement rather than being left empty and prone to rubbish collection;
- Lidl have not communicated with residents, I (Councillor Locke) have personally written to Lidl with no reply;
- Lidl could have purchased some of the Tesco land, I suppose after demolition a plan to build a store will follow.

## 5. Policy Context

5.1. Birmingham Development Plan (2017); Birmingham Unitary Development Plan (2005) (saved policies); National Planning Policy Framework (2012); Planning Controls over Demolition

## 6. Planning Considerations

6.1. It is proposed that the buildings would be demolished using mechanical/traditional methods.

6.2. The proposal for this site is consistent with demolition applications approved elsewhere in the City, involving the removal of demolition materials from the site to slab level to leave the site in a tidy condition and is enclosed with appropriate hoarding to secure the site, pending any future redevelopment. This will ensure that the site has an acceptable appearance. Therefore, the two policy tests – method of demolition, and site restoration – are deemed to be met and the application must be approved, subject to the following paragraph also.

6.3. Ecological matters, i.e. bats, can sometimes be affected by demolition. The Applicant's ecological survey of November 2015 concluded the building had no features, or no significant features, with potential for bat roosts on the different elevations. Overall, the site was considered to be of negligible value for roosting bats, which was accepted by the City Ecologist. As such, I do not consider ecological matters affect this demolition proposal.

- 6.4. Otherwise, Members will recall this site has generated a high degree of public interest (opposition), due to the recent proposals for re-development with a foodstore (2016/00664/PA). As stated above, the 2015 Order sets out that a Prior Approval demolition application is determined on two matters only: method of demolition and site restoration. Therefore, previous concerns on the various issues affecting the planning application, some of them expressed above in the public comments, cannot be taken into account with the determination of this application. Otherwise, for the remaining comments, control of hazardous and other substances, and dust, would be addressed by environmental regulations. I have asked the Applicant to consider the suggestions/requests for local artwork, and community use of the site pending re-development.

7. Conclusion

- 7.1. The proposed methods of demolition and site restoration of the site are acceptable, therefore no prior approval is required.

8. Recommendation

- 8.1. No prior approval required

Case Officer: Alison Powell

## Photo(s)



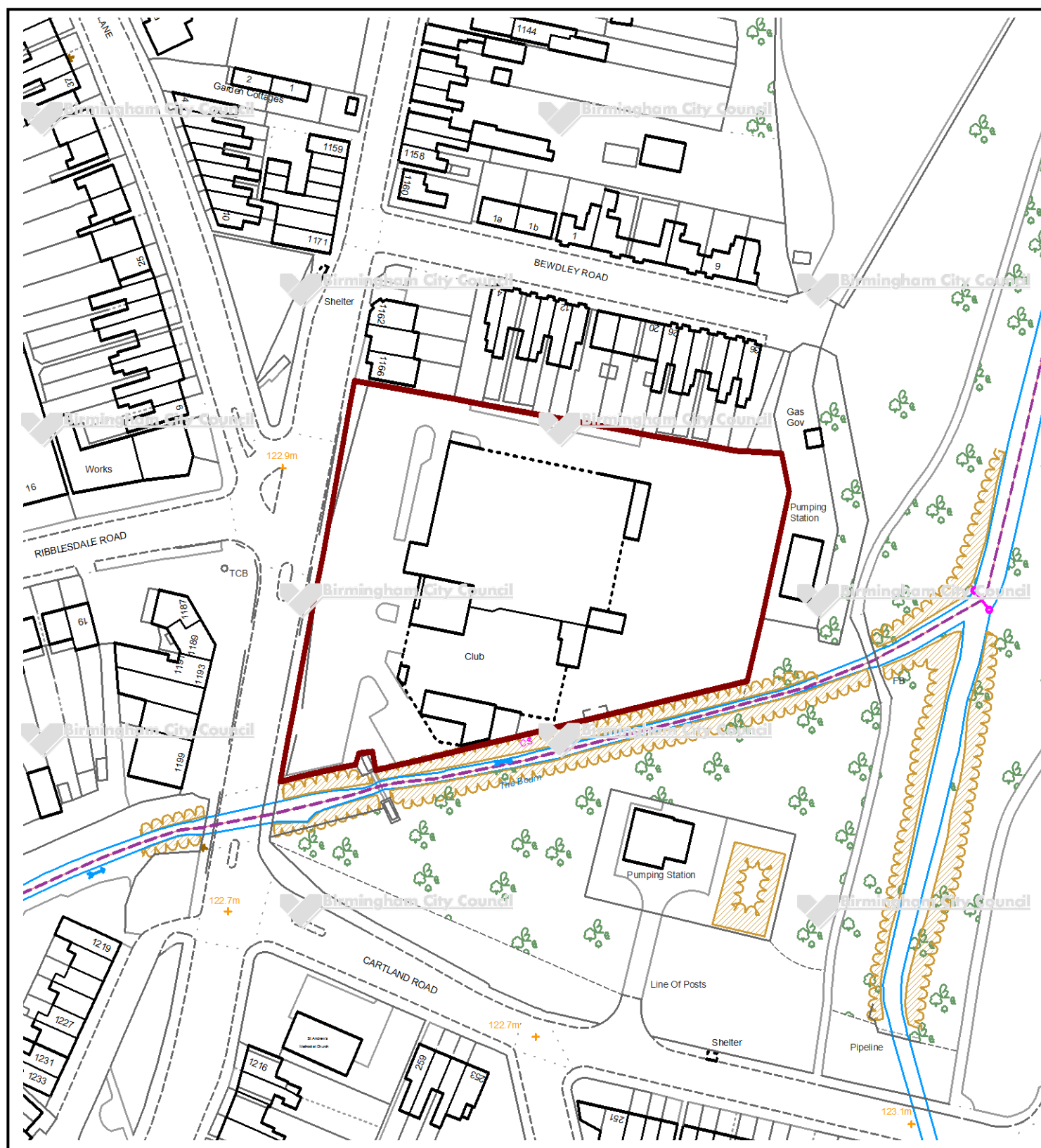
Front Elevation to Pershore Road



North side of building (boundary with r/o Bewdley Road properties)



## Location Plan



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# **Birmingham City Council**

## **Planning Committee**

**22 June 2017**

I submit for your consideration the attached reports for the **East** team.

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve - Conditions	9	2017/01586/PA  Land adjacent to 53 Copeley Hill Erdington Birmingham B23 7PH  Proposed residential development for 14 units of 2 bed and 3 bed semi and detached two storey houses
Approve - Conditions	10	2017/02985/PA  Jamatia Islamic Centre 179-183 Woodlands Road Sparkhill Birmingham B11 4ER  Demolition of doctors surgery, provision of a two storey side and rear extension, a single storey extension, provision of a basement and alterations to roof structure of existing Mosque



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Committee Date:	22/06/2017	Application Number:	2017/01586/PA
Accepted:	28/03/2017	Application Type:	Full Planning
Target Date:	27/06/2017		
Ward:	Stockland Green		

Land adjacent to, 53 Copeley Hill, Erdington, Birmingham, B23 7PH

Proposed residential development for 14 units of 2 bed and 3 bed semi and detached two storey houses

Applicant:	Mr Akamul Islam 108 Victoria Road, Aston, Birmingham, B6 5HG
Agent:	Design Space 2 Ltd 408f The Big Peg, 120 Vyse St, Birmingham, B18 6NF,

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Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. This planning application relates the erection of 6no. 2 bedroom and 8no. 3 bedroom semi-detached and detached dwellings on land adjacent to no. 53 Copeley Hill, Erdington.
- 1.2. The proposed dwellings would be two storeys in height with four semi-detached dwellings fronting Copeley Hill with an access to the cul-de-sac proposed to the rear of the site, which would accommodate ten semi-detached and detached dwellings.
- 1.3. The four semi-detached dwellings on the Copeley Hill frontage and the two semi-detached dwellings at the northern end of the proposed cul-de sac would be two bedroom dwellings, with tandem car parking spaces to accommodate two cars per dwelling, and rear gardens in excess of 52sqm.
- 1.4. The two bedroom dwellings would comprise of an entrance hall, WC, kitchen and living / dining room with rear doors to the garden at ground floor level with two bedrooms and the family bathroom at first floor level. The bedrooms would measure 11sqm and 13.7sqm. The dwelling would be planned as a 3 person dwelling, with an overall residential floorspace of 70sqm.
- 1.5. The proposed semi-detached and detached dwellings on the eastern side of the cul-de-sac would be predominantly three bedroom dwellings, with a partially covered 11m driveway to accommodate two vehicles parked in a tandem arrangement. The rear gardens would measure between 80sqm and 200sqm.
- 1.6. The three bedroom dwellings would comprise of an entrance hall, WC, kitchen and living / dining room with rear doors to the garden at ground floor level with three bedrooms (one with en-suite) and the family bathroom at first floor level. The bedrooms would measure 10.5sqm, 15sqm and 15.3sqm. The dwelling would be planned as a 5 person dwelling with an overall residential floorspace of 93.5sqm.

- 1.7. The proposed dwellings would be constructed of brick and render, with cement slate tile roof. Grey framed UPVC windows and black rainwater goods are proposed with a small canopy to the rear of the car port.
- 1.8. The application site area measures approximately 0.2ha. The proposed density of the development would amount to 70 dwellings per hectare.
- 1.9. The proposed access would be provided from Copeley Hill with the cul-de-sac proposed to extend approximately 100m into the site. The cul-de-sac would comprise a turning head, which would extend approximately 16m from the main carriageway. Swept path drawings have been submitted in support of the planning application which demonstrates that an 11.2m length refuse vehicle could adequately manoeuvre around the site to provide refuse collections. The dwellings would have 200% car parking provision (2 spaces per dwelling).
- 1.10. Existing trees are proposed to be retained on site with additional trees proposed to be planted along the eastern site boundaries to increase privacy and reduce overlooking between the proposed dwellings and the rear of existing dwellings located on Emery Close and Copeley Hill.
- 1.11. Drainage to the development is proposed to be provided through the provision of a series of soakaways throughout the site.
- 1.12. [Link to Documents](#)

## 2. Site & Surroundings

- 2.1. The application site comprises a vacant, overgrown derelict piece of land, located between existing terraced dwellings. The site is of a regular deep, rectangular shape, fronting on to Copeley Hill and backing on to the existing cross city railway line between Lichfield Trent Valley and Redditch.
- 2.2. The application site has varying levels, where it slopes up to the north. The site has been cleared of overgrowth and debris by the applicant in advance of the submission of the planning application.
- 2.3. The application site is bounded by residential properties to the west on Copeley Hill, to the east on Slade Road, and to the north on Emery Close. The application site is overlooked on all sides from existing residential properties.
- 2.4. Copeley Hill is a single lane carriageway accessed off Slade Road, providing access to Salford Circus and onwards to the A38M, M6 northbound and eastbound, Erdington and Birmingham City Centre.
- 2.5. The application site is located approximately 0.7 miles south Gravelly Hill rail station, providing regular local services to Birmingham and Sutton Coldfield. Slade Road Neighbourhood Centre and Erdington District Centre are located approximately 0.5 miles and 1.3 miles north of the application site respectively which provides access to a range of facilities and local amenities. Slade Primary School is located 0.4 miles to the north of the application site.
- 2.6. [Site Location](#)

3. Planning History

- 3.1. 16.03.2017 - 2016/04391/PA - Erection of 14 residential dwellings with associated infrastructure works – Withdrawn by applicant on residential amenity, design and layout grounds.

4. Consultation/PP Responses

- 4.1. Transportation Development – no objection subject to conditions.
- 4.2. Regulatory Services – recommend conditions in relation to contaminated land investigation and remediation; refuse storage; glazing and ventilation to be installed as specified in the submitted noise report; and electric vehicle charging point to be provided.
- 4.3. Local Lead Flood Authority – object due to insufficient information.
- 4.4. West Midlands Police – no comment other than to advocate the principles of ‘Secured by Design’.
- 4.5. West Midlands Fire Service – no objection.
- 4.6. Highways England – recommend conditions to secure drainage details for parking areas and driveway.
- 4.7. Severn Trent – recommend condition to secure drainage plans for the disposal of foul and surface water flows.
- 4.8. Site notices posted. MP, Ward Members, residents associations and neighbours notified. Seven local letters of objection received, raising concerns regarding:
- Overlooking from new dwellings into existing properties;
  - Construction traffic generated by the application, and in combination with the existing construction traffic on the eastern end of Copeley Hill;
  - Access for emergency service and refuse vehicles;
  - Increase in traffic flows from the new residential premises on Copeley Hill; and
  - Air pollution from the M6 and Gravelly Hill Interchange.
- 4.9. Councillor Holbrook (Stockland Green ward) objected to the proposals on the following grounds:
- Access to the site for build and construction being insufficient;
  - Impact on highway safety;
  - Congestion generated by the completed scheme;
  - Insufficient car parking provision;
  - Access for emergency service and refuse vehicles; and
  - Overlooking from new dwellings into existing properties.

5. Policy Context

- 5.1. National Planning Policy Framework (2012); Birmingham Development Plan (2017); Birmingham Unitary Development Plan Saved Policies (2005); Places for Living SPG (2001); Car Parking Guidelines (2012); DCLG Technical Housing Standards – Nationally Described Spatial Standards (2015)

6. Planning Considerations

- 6.1. The main considerations in the determination of this application are:

*Planning Policy*

- 6.2. National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 17 supports sustainable economic development to deliver new homes and encourages the use of brownfield land. Paragraph 19 states that significant weight is placed on economic growth within the planning system, with paragraph 50 highlighting that residential development should reflect local demand and create mixed and balanced communities.
- 6.3. On environmental concerns, the NPPF is unequivocal in its view that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the proposed use as specified under paragraph 122, with paragraph 123 stating that developments should mitigate and reduce other adverse impacts on health and quality of life, including through the use of conditions.
- 6.4. Within the Birmingham Development Plan, policy TP28 states that the location of new housing should be accessible to jobs, shops and services by other modes of transport, be sympathetic to historic, cultural and natural assets and not conflict with other development policies in relation to employment land, green belt and open space. The Plan also identifies that within the urban area there is capacity for some 45,000 homes including bringing vacant property into active uses and utilising industrial land that no longer performs its original function. Policy TP30 of the BDP identifies that densities of at least 50 dwellings per hectare will be expected in local centres and corridors well served by public transport with 40 dwellings per hectare elsewhere.
- 6.5. The application site is identified under reference E726 as a 0.2ha site for housing in the Strategic Housing Land Availability Assessment (2015). This document states that proposals for new housing should seek to deliver a range of dwellings to meet local needs and support the creation of mixed, balanced and sustainable neighbourhoods.
- 6.6. The application proposals are considered to accord with the relevant planning policies in terms of the principle of the development and the overall drive to deliver housing to address the growing population and housing needs of Birmingham.

*Principle of Use and Density*

- 6.7. The application site lies within an established residential area, close to transport corridors that have good public transport links and Slade Road shopping parade and Erdington District Centre are in close proximity to the site. Consequently, it is

considered that the use of this site for residential development is acceptable in principle.

- 6.8. The application proposals comprise the erection of 14 dwellings on a site area of 0.2 hectares. This results in an equivalent of 70 dwellings per hectare. Whilst this would exceed the BDP recommendations which require at least 40 dwellings per hectare, and would be of a higher density than the rest of Copeley Hill, I do not consider that this would have an adverse impact on the character of the surroundings, particularly on the grounds that a high quality design is proposed to be achieved by the development.
- 6.9. The site is a constrained site within a predominantly residential area. The close proximity to Gravelly Hill Interchange further constrains potential uses on the site and I consider that the proposed layout, use and density would secure the best re-use of a currently vacant site in a well-established, built up residential area.
- 6.10. The proposed scheme is considered to achieve a satisfactory density of houses, whilst providing rear garden space and suitable separation space between properties.
- 6.11. The application proposals are considered to comply with adopted planning policy and will make a contribution to Birmingham's established housing requirements whilst regenerating a disused and vacant site in an established residential area. The redevelopment of this vacant, overgrown site on balance is considered to outweigh any discrepancies in respect of the development being of a higher density than its immediate surroundings.

*Design and Impact on Visual Amenity*

- 6.12. Paragraph 56 of NPPF attaches great importance to the design of the built environment as this is a key aspect of sustainable development. Paragraph 60 notes that policies and decisions should not impose architectural styles or tastes, should not stifle innovation or originality, but should reinforce local distinctiveness.
- 6.13. Places for Living SPG supports the creation of safe places, with clear definition between public and private spaces, active frontages, convenient routes, balance the needs of cars and pedestrians and provide schemes which reflect local context.
- 6.14. The application proposals have been subject to detailed comments following the previously withdrawn application, with feedback provided on the proposed development layout and the impact that the development would have upon neighbouring sites. Feedback on materials and building design was also provided and I consider that the current proposals achieve an aesthetic which acknowledges the character of the mix of street scenes visible in close proximity to the application site whilst delivering a high quality level of design and visual amenity within the context of the proposed development.
- 6.15. The proposed development would therefore be appropriate in this location and I consider that there are significant benefits to the reuse of this vacant site. By virtue of redeveloping the vacant site, the application proposals would achieve significantly positive outcomes in respect of their impact on visual amenity within the context of the surrounding area.
- 6.16. The proposed buildings are generally contemporary in nature and incorporate a largely consistent house style delivering semi-detached and detached properties.

The proposed materials include brick, render, and cement slate tiled roof. The application site is proposed to be accessed off Copeley Hill leading to a cul-de-sac of 10 dwellings.

- 6.17. The proposed layout follows the principles as laid out within "Places for Living" SPG which promotes the creation of a safe residential environment and the proposal by redevelopment of vacant site would improve security and surveillance of the area. From a safety and security perspective, I consider that there are considerable benefits to the application site being development as it has previously been a disused, overgrown and vacant site to the rear and side of existing properties which I understand has posed some security concerns in the past. I consider that the presence of residential accommodation at this location will improve natural surveillance in the area and will contribute towards active uses in the area deterring criminal activity. West Midlands Police have raised no objections.
- 6.18. The proposed dwellings each achieve a garden length of 10m, with each dwelling located at least 10m from the rear boundary. Window to window elevations would only be present in respect of the rear elevations of plot 10 and 26 Emery Close, and plot 12 and 29 Emery Close. Both of the plot 10 and plot 12 would achieve a separation distance of over 28m, well in excess of the guidance set out within Places for Living SPG.
- 6.19. The rear private amenity areas would be separated from frontage areas, creating distinction between public and private spaces. The private amenity areas of all dwellings would comply with the guidelines as set out in "Places for Living" SPG. A condition would be attached removing permitted development rights for extensions and outbuildings to all plots preventing the loss of rear garden space.
- 6.20. Whilst the development of the site would comprise a degree of 'backland' development, the site is previously developed in its character which would be a priority for redevelopment. The layout has been designed to have a residential frontage with Copeley Hill, and for the cul-de-sac proposed to have good interaction with the new and existing dwellings on Copeley Hill, without being over-dominant.
- 6.21. Based on the above, it is my view that the proposed development would not have an adverse impact on visual amenity and is acceptable in respect of design and layout.

#### *Landscape and Ecology*

- 6.22. Ecological assessments have been undertaken at the site, with the site being identified as containing high value scrub and grassland habitat bordering the site at the railway line with potential for foraging bats and use by reptiles. There are also multiple features within site boundary suitable for nesting birds. A reptile survey concluded that no reptiles were present on site. Subject to the implementation of any required mitigation and enhancements, it is concluded that no overriding ecological constraints have been identified that would preclude a sensitive development within this area.
- 6.23. The City Ecologist has been consulted on the proposals and raises no objection to the scheme, subject to any grant of planning permission to include a condition to secure biodiversity enhancements within the development. I consider that such a condition would be appropriate in the circumstances, given the potential for the site for birds and bats.



- 6.24. The proposals incorporate a paved access road with a 1.9m wide footpath. There is limited space for landscaping along the access road, however small areas of landscaping are proposed at the northern end of the site. Grassed gardens are proposed to provide private rear amenity space, with trees proposed to the eastern boundary to enhance the level of screening.
- 6.25. Landscape colleagues have been consulted on the proposals who advise that good quality, robust planting (and more space for it) is required to be provided on both sides of the new drive. Given the constrained nature of the site, I do not consider that such could be achieved without reducing the width of the access road, which would have an adverse impact on the access to the site. Landscape colleagues also recommend that the scheme should provide good quality boundary treatments and surfacing. It is considered that these elements could be detailed through conditions.
- 6.26. The Tree Officer recommends that new landscaping should include at least one ultimately large tree on the Copeley Hill frontage. Given the constraints of the site, I do not consider that this would be achievable without impacting the access to the site. However, I consider that there is opportunity as part of landscaping to plant trees within the garden boundaries of the proposed dwellings. On balance, I consider that it would not be appropriate to condition such a requirement though I recommend that a condition for hard and soft landscaping should be attached to any grant of planning permission which could improve the landscaping of the development overall.

*Impact on Residential Amenity*

- 6.27. The application proposals have been assessed in respect of the impact that the scheme may have upon residential amenity for existing neighbouring residents and future residents of the scheme.
- 6.28. The application proposals comprise 14no. residential dwellings with associated car parking. The proposed dwellings range in size from 70sqm for a semi-detached 2 bedroom house to 93.5sqm for a semi-detached / detached 3 bedroom house. These floorspaces are consistent with the Technical Housing Standards – Nationally Described Space Standard minimum gross internal floor areas and storage. I consider that the proposals achieve a good quality internal residential layout and submitted indicative furniture layout plans further demonstrate that the proposed spaces function and would secure a good quality residential environment. Further, good quality private external amenity space is proposed for each of the dwellings. I therefore consider that the proposed residential dwellings would be acceptable.
- 6.29. I note the objections from local residents and the Ward Member on the impact that the proposals would have upon privacy and overlooking. As set out elsewhere in this report, it is my view that the separation distances which could be achieved by the proposed scheme are sufficient in the context of the surrounding residential properties, and consistent with the guidance in Places for Living SPG, with instances of overlooking from the new residential scheme being unlikely on this basis, and particularly given the proposed orientation of the dwellings and the tree cover proposed to the rear gardens.
- 6.30. It is acknowledged that the levels of the site do present some discrepancies in terms of visibility of the proposed properties from the existing neighbouring properties on Copeley Hill and Emery Close, I consider that the planting of additional trees at the eastern boundary of the application site will have a positive impact in respect of

screening the development. Furthermore, an earthworks condition is proposed which would ensure that details of the proposed grading and mounding of land areas including the finished levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform are submitted and approved by the Council prior to work commencing on the site.

- 6.31. In terms of the residential amenity of future residents of the proposed scheme, the location of the site adjacent to Gravelly Hill Interchange must be taken into account with regard to its position as a transportation infrastructure hub linking a large number of strategic and local highway networks and the air quality issues that are inherent to the location.
- 6.32. It is acknowledged that the whole of Birmingham is an Air Quality Management Area (AQMA), with great concern in place around the key transport corridors of the A38M and the M6, converging at Gravelly Hill Interchange. Due to the established concerns in this area, the applicant engaged with Birmingham City Council's Air Quality Officer prior to the submission of the planning application. It was agreed at this stage by the City's Air Quality Officer, and based upon air quality monitoring at the application site over the previous 2 years, that the predicted annual mean concentration at the receptor (the application site) is predicted to be 38.1 ug/m3. The air quality objective is 40 ug/m3 and because this figure has been derived from monitored data (and not modelled data), the Air Quality Officer is confident that the air quality objectives will be met at application site across future years. As the proposals do not exceed the identified objective, Regulatory Services colleagues have concurred that no mitigation measures will therefore be required at the scheme.
- 6.33. Regulatory Services recommend a condition to secure an electrical vehicle charging point. It is considered that these are not necessary for the individual houses with in-plot parking as they are likely to be able to self-service. The provision of vehicle charging points is more relevant to larger flatted developments with communal parking. There are also a small number of units proposed on site and as such a scale to not justify the provision of vehicle charging points at this time.
- 6.34. With regard to the location of the site adjacent to Gravelly Hill Interchange, noise is a concern for future residents of the scheme. Regulatory Services colleagues however raise no objection subject to recommending a condition to secure the noise insulation to the development to be installed as specified in Sound Advice report reference SA - 4456 submitted in support of the application which would mitigate the noise generated by the site location.
- 6.35. In terms of the proposed use and noise generation, I do not consider that the proposed residential properties will generate excessive noise which would disturb existing residences.
- 6.36. I consider that the application proposals would not have an adverse impact on residential amenity and appropriate mitigation measures are proposed to be secured by condition to address that good levels of residential amenity for existing and future residents in the area will be maintained.

#### *Impact on Highway Safety*

- 6.37. The application proposals comprise the development of a cul-de-sac with an access road and turning head. The access road measures approximately 100m and is proposed to serve 10 dwellings along the cul-de-sac. A turning head is proposed in

the west of the site which measures approximately 15m in depth, to provide turning opportunities for residents, visitors and large vehicles (refuse; emergency; delivery; etc). Transportation Development have been consulted on the proposals and recommend minor amendments to the access in order to improve the access for such large vehicles. I have attached a condition to secure the siting and design of access on this basis, alongside pedestrian visibility splays to ensure that these can be achieved.

- 6.38. Each dwelling would benefit from 2no. car parking spaces. The two bedroom dwellings would provide a tandem arrangement adjacent to the property, with the three bedroom dwellings also providing a tandem arrangement adjacent to the property as a car port. The parking provision is consistent with the minimum standards indicated within Car Parking Guidelines SPD and no objection is raised by Transportation Development colleagues. The objections raised from neighbours is noted however I concur with Transportation's view, that the parking provision proposed would be acceptable and would be unlikely to have an adverse impact on parking provision within the immediate vicinity of the site (e.g.: on-street). I have attached a condition to mitigate the development which would require the parking areas to be laid out prior to the occupation of the dwellings, to avoid any overspill of additional vehicles on to the highway.
- 6.39. Transportation Development raises no objection with respect to the likely level of traffic generated from the development. It is noted that Copeley Hill would be subject to an increase in traffic movements, due to the approved and almost completed residential development of 14 dwellings on the eastern end of Copeley Hill, however due to the low level of movements in existence at present, it is considered that additional movements would be unlikely to have an adverse impact on Copeley Hill, nor to its access to Slade Road.
- 6.40. There is an aspiration to upgrade and improve the western extent of Copeley Hill which is understood to be in unknown ownership. Highways England have commented, expressing that maintenance access is required to Highways England land for inspection and maintenance purposes. Whilst this is noted, this aspiration does not form part of the current planning application and the area concerned falls outside of the red line boundary for the development site. It is therefore not appropriate to attach conditions relating to land outside the development site, over which the applicant has no control.
- 6.41. I consider that the application proposals are acceptable in respect of their highway impact, subject to the recommended conditions.

#### *Other Matters*

- 6.42. The proposed development seeks to make use of soakaways throughout the site to achieve the required drainage. I consider that this is acceptable and consistent with our expectations for developments to incorporate sustainable drainage. Severn Trent have recommended a condition to secure drainage plans for the disposal of foul and surface water flows, and Highways England have recommended a condition to secure drainage plans for the driveway and parking areas to ensure that no adverse impact would be had upon Highways England interests (specifically Gravelly Hill Interchange and the M6). I consider that both conditions would be reasonable and necessary, given that the proposed development would have an impact on the operations of both of these organisations.

- 6.43. The Local Lead Flood Authority (LLFA) object to the scheme due to insufficient information. It is considered however that conditions could be attached that would secure the outstanding information required. Given the small scale of the application proposals, it is unlikely that the development of this vacant, derelict site would have an adverse impact upon existing drainage flows and pre-commencement conditions are recommended to ensure that the development would be deliverable in respect of drainage. The LLFA have advised that if the applicant can successfully demonstrate that the site may be adequately drained by an alternative means than infiltration, the LLFA would be content to provide a condition for the remaining information.
- 6.44. I note the objections raised by neighbours and the Ward Member with regard to the impact that the construction would have upon existing occupiers, and acknowledge that the development at the eastern end of Copeley Hill is nearing completion, which would remove this construction traffic and activity from the area. Whilst I sympathise with the existing residents which may experience some disturbance from the proposed development being built out, this would be temporary in nature. I propose to attach a condition with regard to the preparation of and compliance with a construction management plan to be approved.
- 6.45. On balance, I consider that the disturbance which would be likely to occur will be managed and subject to appropriate restrictions imposed by the Council and would overall achieve significant benefits for the immediate area through the regeneration of a derelict, overgrown site that would also achieve an extended turning head which could accommodate a large refuse / emergency / delivery vehicle. It is noted that a turning head is also provided as part of the development in the eastern end of Copeley Hill.

## 7. Conclusion

- 7.1. The application proposals seek to deliver 14 semi-detached and detached dwellings on a vacant, derelict and overgrown site on the western end of Copeley Hill. The proposals would achieve a good level of residential amenity for prospective residents and would be unlikely to result in unacceptable instances of overlooking. The application proposals are acceptable in principle and are consistent with adopted planning policy.
- 7.2. The proposed development comprises a cul-de-sac which would deliver a turning head to the northern end which could accommodate an 11.2m deliver / emergency / refuse vehicle. Parking provision of 2 spaces per dwelling. Transportation Development raises no concerns, subject to conditions.
- 7.3. Whilst I note the objections raised by neighbours and the Ward Member, it is considered that these concerns can be addressed and mitigated by conditions. For the reasons set out above, I recommend that the application is approved subject to conditions.

## 8. Recommendation

- 8.1. Approve subject to conditions.

- 
- 1 Requires the prior submission of earthworks details
  - 2 Requires the prior submission of level details
  - 3 Requires the prior submission of a sustainable drainage scheme
  - 4 Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
  - 5 Requires the prior submission of a contamination remediation scheme
  - 6 Requires the prior submission of a contaminated land verification report
  - 7 Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
  - 8 Requires the prior submission of boundary treatment details
  - 9 Requires the prior submission of hard and/or soft landscape details
  - 10 Requires the prior submission of hard surfacing materials
  - 11 Requires the prior submission of a construction method statement/management plan
  - 12 Requires the prior submission of sample materials
  - 13 Requires the prior submission of details of refuse storage
  - 14 Development to be completed in accordance with noise report
  - 15 Requires the prior submission of Drainage Plans for foul sewage disposal
  - 16 Requires prior submission of drainage details for driveway and parking area
  - 17 Requires the prior approval of the siting/design of the access
  - 18 Requires the prior submission and completion of works for the S278/TRO Agreement
  - 19 Requires pedestrian visibility splays to be provided
  - 20 Prevents occupation until the turning and parking area has been constructed
  - 21 Removes PD rights for new windows
  - 22 Removes PD rights for extensions
  - 23 Requires the scheme to be in accordance with the listed approved plans
  - 24 Implement within 3 years (Full)
- 

Case Officer: Claudia Clemente

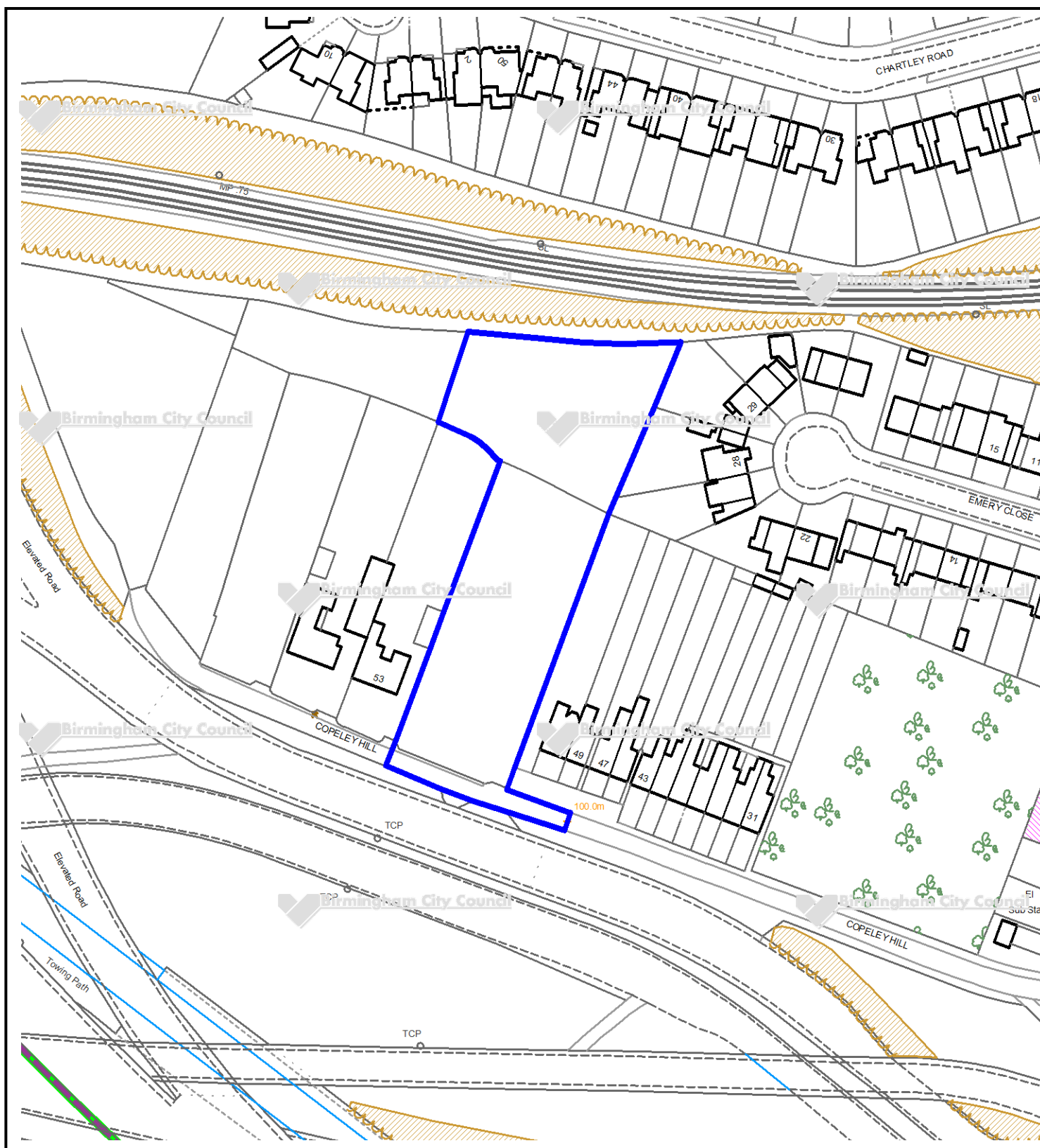
**Photo(s)**



**Figure 1: Application site looking north west**



## Location Plan



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Committee Date:	22/06/2017	Application Number:	2017/02985/PA
Accepted:	31/03/2017	Application Type:	Full Planning
Target Date:	30/06/2017		
Ward:	Springfield		

Jamatia Islamic Centre, 179-183 Woodlands Road, Sparkhill,  
Birmingham, B11 4ER

Demolition of doctors surgery, provision of a two storey side and rear extension, a single storey extension, provision of a basement and alterations to roof structure of existing Mosque

Applicant: Jamatia Islamic Centre  
179-183 Woodlands Road, Sparkhill, Birmingham, B11 4ER  
Agent:

---

Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. This planning application seeks consent for the demolition of an existing two storey detached building (previously used as a doctors surgery) and the provision of a number of extensions to the side and rear to the place of worship along with internal and external works at Jamatia Islamic Centre which is located at 179-183 Woodlands Road, Springfield, Birmingham.
- 1.2. The proposed extensions and works would increase its internal floor area from an existing 854sq.m (approximately) over two no. main floors to a total of 2126sq.m (approximately) over four no. main floors. This would enable the facility to increase its total capacity for worshippers from an existing 877 no. persons to 1012 no. persons.
- 1.3. The proposed two storey side extension would allow for an internal reconfiguration of the existing building and would be used to provide additional space at ground floor level to the main prayer hall with a Mihrab (semi-domed structure) whilst at first floor level the side extension would provide additional classroom accommodation and an extension to the Community Hall and would measure 5.3m wide x 15.4m deep and would match the roof height of the existing building, at a maximum height of 10m.
- 1.4. The proposed two and three storey rear extension would allow for an internal reconfiguration of the building and would provide an additional 112sq.m of internal floorspace at ground, first and second floor levels and would provide accommodation for a variety of uses including teaching, worship and storage and maintenance accommodation and would be a triangular wedge shape measuring 27.6m wide and between 8.6m and 1.4m deep.

- 1.5. The rear extension would be formed of 3 no. distinct blocks comprising two gable end structures with pitched roofs at 3 stories high (10.8m) and one central block located between the two gable end structures. This would be two storeys high (9.4m) with a pitched roof running in the opposite direction to the two gable ended structures whilst the rear single storey extension would measure 5.8m wide by 8.5m deep (at its maximum) with a flat roof to a height of 3.4m.
- 1.6. It is proposed to excavate under the current and extended building to provide 583sq.m of basement floor area to provide additional teaching and storage space whilst the proposed roof dome would be located centrally within the existing building upon a revised roof arrangement with a diameter of 7m and a height from the proposed roof level of 3.7m (4.9m high including the crescent moon symbol). No details regarding its appearance or construction material have been provided.
- 1.7. The proposal also seeks consent for the provision of 4 no. Minarets to be erected, attached to the extended building. All 4 no. minarets would be constructed from brick used to match the proposed extended building and would incorporate a three tier design with design embellishments at each tier and be between 9.5m and 15m in height.
- 1.8. The submitted application seeks to provide a revised car park arrangement with an increase in parking from 15 no. spaces to 18 no. spaces which includes 2 no. disabled bays and would see the provision of an additional vehicular access onto College Road that would enable the revised car park arrangement to operate a one way access arrangement.
- 1.9. [Link to Documents](#)
2. Site & Surroundings
  - 2.1. The application site is an existing Mosque, known as Jamatia Islamic Centre and sits between Woodlands Road and College Road near to the roundabout junction of Woodlands Road/College Road/Springfield Road and is located adjacent to the Springfield Neighbourhood Centre boundary.
  - 2.2. The mosque itself is situated between a row of properties that contains an existing two storey building that forms a doctors surgery (currently vacant) (forms part of this application) located on the buildings eastern elevation, beyond which lies a two and a half storey, semi-detached property that has been sub-divided into apartments for residential use.
  - 2.3. To the western side of the building that faces onto Woodlands Road lies a two and half storey, semi-detached building that is currently operating as a nursery school beyond which are a number of residential properties. To the western side of the building that faces onto College Road lies a row of 4 no. two storey, semi-detached residential properties.
  - 2.4. The mosque building is located on the edge of the Springfield Neighbourhood Centre boundary, and whilst not located within the boundary is located within an area of a mix of uses. Whilst the immediate area is predominantly residential in nature, there are a number of additional uses that include a place of worship (St Christopher's Church), Springfield Primary School, a private nursery/pre-school and Springfield Children's Centre.

- 2.5. The existing mosque building is a two and half storey structure that was previously a two semi-detached properties that have previously been converted into one unit and have been the subject of a number of extensions over a period of time both to the side and rear elevations.
- 2.6. The application site is accessed both from Woodlands Road and College Road with pedestrian access provided from both roads whilst vehicle access into the site is provided from College Road only into the sites existing car park area which currently provides 15no. parking spaces via one vehicular access point from the public highway.
- 2.7. [Site Location](#)
3. [Planning History](#)
- 3.1. 38459003 – Change of use of 179 Woodlands Road to combine with 181 Woodlands Road for use as a prayer and religious instruction area – Approve – 23/02/89.
- 3.2. 2000/02217/PA – Provision of two storey rear and first floor side extensions to 179-183 Woodlands Road, Springfield – Approve – 20/07/00.
- 3.3. 2015/10561/PA – Demolition of doctors surgery and the provision of a two storey side and rear extension to the existing Mosque, the provision of 4 no. minarets and associated site works – Withdrawn as insufficient transport assessment information provided – 11/05/16.
4. [Consultation/PP Responses](#)
- 4.1. Transportation Development – Full officer comments to be provided at meeting but verbally suggested relevant planning conditions related to Travel Plan provision and parking management strategy.
- 4.2. Regulatory Services – No objection.
- 4.3. Lead Local Flood Authority (LLFA) – Have requested the imposition of a planning condition related to:
- Submission of drainage scheme.
- 4.4. West Midlands Fire Service – No objection.
- 4.5. West Midlands Police – No objection.
- 4.6. Roger Godsiff MP – Supports the proposal;
- Mosque is well run,
  - Provide much needed accommodation/facilities for young people and local community.
- 4.7. Councillor Shabrana Hussain – Supports the proposal;
- Provide much needed accommodation/facilities for young people and local community.

4.8. Moseley Society – Object to the proposal on the following points;

- The building has already grown too large for its site and location.
- The buildings and boundary walls already form a very significant and massive structure in the area.
- The various uses of the buildings attract many visitors throughout the day and already cause significant disruption to traffic in the surrounding area particularly at peak times.
- If the Doctor's surgery has already decided to relocate we would hope the land will be required to be used as additional parking space for the existing mosque.

4.9. 1 no. letters of support received from local residents.

4.10. 3 no. letters of objection received from local residents on the following points;

- Already ongoing congestion issues around this mosque.
- Concerns regarding the committee that run the establishment.
- The surrounding area already has existing uses that generate parking and traffic congestion issues.
- The centre should provide a larger car park.

## 5. Policy Context

5.1. Birmingham Development Plan; Birmingham Unitary Development Plan – Saved Policies (2005); Places for Living SPG (2001); Places for All SPG (2001); Places of Worship SPD (2011); Car Parking Standards SPD (2012); NPPF.

## 6. Planning Considerations

### *Principle of Development*

- 6.1. The key planning considerations in relation to this planning application are the principle of the extension, impacts upon highway safety, impact on residential amenity and impact on visual amenity.
- 6.2. The application site is an established location as a place of worship. Incremental extensions have been proposed and approved previously which have sought to increase the capacity of the mosque.
- 6.3. The Places of Worship SPD aims to guide faith-related development into areas where they are within easy walking distance of the worshippers in attendance. The SPD distinguishes between facilities meeting a local need and those serving a wider constituency need.
- 6.4. Constituency-sized facilities are more appropriately located away from predominantly residential areas where they would not have an adverse impact in terms of noise and disturbance. Given the typical travel distance to the facility of less than 2km the proposal is between the local and constituency scale.
- 6.5. The SPD recommends that larger facilities are located where there is easy access to public transport and references car parking guidelines. Finally, the design and scale

of purpose built facilities must provide a good quality inclusive building and the use of domes or minarets should be carefully considered.

- 6.6. The Birmingham Development Plan and saved policies within the Birmingham Unitary Development Plan (UDP) resists proposals that would have an adverse effect on the quality of the built environment and emphasises that improving the quality of the built environment is one of the most important of the plan's objectives.
- 6.7. Policy PG3 (Place Making) within the Birmingham Development Plan states that all new development will be expected to demonstrate high design quality, contributing to a strong sense of place.
- 6.8. Policy TP24 (Diversity of uses within centres) states that a diverse range of facilities and uses would be encouraged in designated centres, which includes community facilities. Whilst the proposal is located outside of a designated centre, it is deemed to be an edge of centre location (within 100m of the boundary) and would provide an improved community facility.
- 6.9. The saved policies within the UDP encourage a high standard of design and saved policy 3.14D sets out good urban design principles whilst saved paragraph 8.32 of the Birmingham UDP states that "In the case of premises which are intended to serve a wide catchment area and/or likely to be used for festivals and ceremonies attracting substantial numbers of people, sites should be of sufficient size and located so as not to cause loss of amenity to occupiers of nearby residential accommodation through undue noise and disturbance nuisance. Sites which may be particularly appropriate are those which adjoin roads and/or are on the fringe of commercial areas."
- 6.10. The application site is located adjacent to, but not within the Springfield Neighbourhood Centre, as defined by the Shopping and Local Centres SPD (2012) and is an established place of worship in addition to the Islamic Education Centre.
- 6.11. The use has outgrown the existing property with the applicant citing overcrowding at peak times, typically Friday prayers. The proposals would improve the standard of accommodation for the users of the facility as well as allowing for future growth and would be located within walking distance and a number of public transport options of potential worshippers and is therefore considered to broadly accord with the aims of the SPD.

#### *Residential Amenity*

- 6.12. The proposed Mosque is an existing, established facility that is located in an edge of centre location. The site is located in an area with a mixture of uses which includes residential accommodation.
- 6.13. No objections have been raised with regards to potential noise disturbance through the site's operation by Regulatory Services. However, it is acknowledged that up to 1012 no. persons would generate general noise and activity when accessing and egressing the building.
- 6.14. It is considered that the building access points at both Woodlands Road and College Road have been positioned so as to reduce the potential noise impacts and that the increase in approximately 250 no. persons using the site at peak times would not significantly increase noise to adverse levels.



- 6.15. It is recommended however, that a planning condition is attached to any permission granted restricting the use of external sound amplification (e.g. for call to prayer, special events) to ensure that local residents are not adversely impacted by noise pollution.
- 6.16. The nearest residential dwellings are located to the sites eastern elevation and comprise of a pair of semi-detached dwellings that have been sub-divided into a number of apartments over three no. floors (two and a half storey building).
- 6.17. These dwellings would have previously been separated from the existing mosque site by the Springfield Doctors Surgery site, which is to be cleared and incorporated into the application site. The proposal would seek to extend the existing mosque building 5.3m closer towards the existing dwellings and would result in a minimum separation distance of 12m from the wing of the adjacent dwellings and 15m to the building's main rear wall. However, this would result in an increase in space between the proposed extension and residential building as the current doctor's surgery, which is a two storey building, is located closer to the dwellings with a separation distance of 8m.
- 6.18. Whilst there are no specific guidelines for separation distances for non-residential uses, it is considered that the guidance provided for residential to residential uses contained within Places for Living SPG is a useful guideline. The proposed side extension on this elevation would be a three storey structure as opposed to the current doctor's surgery building which is a two storey building. However, given that the distance between the two buildings would increase (from 8m to 12m/15m), there would be no windows overlooking the residential properties on this elevation and a living/green wall is to be provided, it is considered that the proposal in this regard provides a more beneficial outlook and would not result in loss of privacy or light over existing levels.
- 6.19. The site's western elevation (fronting onto Woodlands Road) bounds an existing children's nursery which operates throughout the day and does not contain residential accommodation. The proposal would not provide any additional built development on this elevation that could adversely impact upon this neighbouring property.
- 6.20. The rear of the application site that is set back behind the sites car park and College Road whilst providing the larger three storey extension also seeks to provide a single storey, flat roofed extension that would provide an enlarged Wuzu/W/C area and would be positioned on the sites western boundary with no. 54 College Road. The proposed flat roof extension would be positioned along the site boundary with no. 54 and would therefore move closer towards the rear of the building leaving a gap between each structure of approximately 2m at a 60 degree side angle to the property.
- 6.21. Whilst the extension would normally exceed the 45 degree code, the property does not propose any glazed window units on this elevation and also forms part of the Jamatia Islamic Centre, as accommodation for the Imam of the centre. On balance, it is considered that the provision of the flat roof extension in this location is acceptable.

#### *Visual Amenity*

- 6.22. There have been extensive discussions with the agents during the pre-application process regarding the design of the proposals which has resulted in a scheme which

would be of high quality and would contribute to the enhancement of the overall site. The proposed dimensions of the two storey side extension would be 5.3m wide x 15.4m deep and would match the roof height of the existing building, at a maximum height of 10m from ground level with a continuation of the pitched, gable roof tiles to match the existing texture and colour of the existing roof when viewed from Woodlands Road. The side extension when viewed from Woodlands Road would be finished in matching facing brickwork to tie in with the existing Woodlands Road elevation. The side extension would also incorporate 1 no. glazed window unit at first floor level facing onto Woodlands Road with a double leaf access door at ground level facing onto Woodlands Road in a similar style and scale to existing window and door treatments along this elevation and it is considered that from this elevation the proposal would be appropriate in terms of scale and mass within the street scene.

- 6.23. The proposed side extension when viewed from the adjacent residential properties on the sites eastern boundary on this elevation would result in a stepped increase in height from the existing two and half storey building to the proposed three storey structure. This is considered to be an appropriate design solution and when coupled with the increased distance between the mosque and residential accommodation as a result of the doctor's surgery building removal to provide a distinctive gap between the two sites and the provision of a green/living wall, the proposed appearance, mass and scale on this elevation is considered to be acceptable.
- 6.24. Currently, the rear of the building, the College Road frontage which is set back behind a car park is poor in appearance as whilst it is the buildings main entrance, its appearance as the rear of the original buildings provides a poor visual legibility to users of the site and poor appearance through number of large blank gable end walls. The proposed main three storey rear extension would provide a main entrance to the building and would encompass a revised rear arrangement with the provision of 3 no. glazed window units that are arched in appearance at three stories high. In addition, the College Road elevation would incorporate a number of small glazed windows to each gable end that provides a distinction between each floor.
- 6.25. The external appearance of this elevation has been designed so as to provide visual interest by using different textures and materials including facing brickwork to match the existing building, a contemporary smooth render and a small element of vertical wooden cladding which is considered to be an appropriate design solution. In doing so it is considered that the design proposal would provide an element of cohesive design between the existing and proposed structures whilst also providing a clear focal point and architectural legibility for users of the site.
- 6.26. The proposal also includes the provision of a revised roof arrangement within the centre of the existing building by removing 2 no. of the existing gable pitched roofs and replacing it with a level flat roof so as to position the proposed roof dome. Whilst the revised roof arrangement would not increase the height of that section of roof from existing levels, the proposed dome would increase the height of the building.
- 6.27. The proposed polycarbonate roof dome would have a 7m diameter and erected to a height of 3.7m from the roof level and 13m from ground level. In addition, a crescent moon symbol is proposed above the dome which would add an additional 1.2m, taking the domes total height to 4.9m from roof level and 14.2m above ground level. In addition to the proposed roof dome, the proposed building design would encompass the provision of 4 no. minarets finished in matching brickwork to tie into the extended buildings external appearance along with detailing to the tops of each minaret. Two of the minarets would be located to the rear of the building (College

Road elevation) and positioned either side of the main building entrance and erected to a height of 9.5m and as such would be viewable from College Road but due to their height would be shielded from view from other public vantage points.

- 6.28. The other minarets would be located to the buildings extended eastern side elevation adjacent to the living/green wall, erected to a height of 15m and constructed in the same style as the smaller minarets and would be positioned either side of the Mirhab. It is considered that the proposed roof dome and minarets would be more visible than the existing set up, as no dome or minarets are currently in situ. However, they are considered appropriate additions to the street scene, typical of the buildings use, would be of a similar scale to a nearby place of worship (St Christopher's) and would provide an appropriate landmark for the immediate area.

#### *Highway Safety*

- 6.29. The application premises has been used as a Mosque and Islamic teaching centre for many years and concern has been expressed by local residents that the current site already suffers from traffic and parking issues at peak times, e.g. Friday Prayer. The application site is located near to the Stratford Road and the Springfield Neighbourhood Centre although is located adjacent to the neighbourhood centre boundary rather than within it and as such is edge of centre development. However, the site is well located in terms of local amenities and public transport options with a number of bus routes passing close by to the application site and the site is located in close proximity to a large residential population within walking distance to the site which the applicant has stated that the site currently, and would continue to serve a local population with approximately 80% of potential worshippers attending from the immediate local area and would walk to the site.
- 6.30. Concerns have also been raised with regards to the current proposal by local residents and community groups that further development would exacerbate the existing parking and traffic congestion issues caused by the sites operation and its immediate location to a number of traffic and parking generating uses, such as a school, children's centre, additional place of worship and the sites close proximity to the Stratford Road and Springfield Neighbourhood Centre. The applicant has indicated within their submission that a revised and extended parking layout is proposed that would provide an increase of 3 no. parking spaces along with the provision of a revised access arrangement that would allow vehicles to enter and exit the car park via a one way system and a separate 'in' and 'out' access arrangement onto College Road which is considered to be beneficial to aiding the throughput of traffic when setting down or collecting passengers away from the public highway.
- 6.31. The applicant has submitted a Transport Assessment in support of the proposed works and has indicated a number of car parks that the Mosque and its users have access to should additional parking be required when the sites own car park is full which totals 228 no. parking spaces (including the sites own car park). These 4 no. additional car parks are located within a 10 minute walk of the application site and comprise of an adjacent church car park (St Christopher's Church) which provides up to 20 no. spaces, Springfield School's car park which provides up to 12 no. spaces, a car park located on Stratford Road that is owned and run the 'Golden Supermarket' which provides up to 51 no. spaces and a public car park (payment required by user) situated off Stratford Road on Colgrove Avenue which provides up to 55 no. spaces.

- 6.32. However, the applicant has acknowledged that these car parks would only be available at certain times of day, specific days or times of year such as Springfield School which is only available during school holidays. In addition, the car parks put forward are not in control of the applicant and would not be for exclusive use of worshippers, such as the 'Golden Supermarket' car park and Colgrove Avenue public car park which would be available on a first come first served basis. Also, the applicant has indicated that worshippers would have limited use of St Christopher's church car park (opposite the site) at certain times of day and certain days. The applicant has also indicated that 72 no. on street parking spaces are available on Woodlands Road and surrounding roads that are available for worshippers to use but has not outlined which surrounding roads this figure relates to and has also not demonstrated how this figure has been calculated.
- 6.33. Whilst Woodlands Road is unrestricted in terms of parking provision, College Road is subject to a TRO (double yellow lines) and the surrounding roads are subject to a high demand for parking from existing residential properties, the nearby neighbourhood centre, the adjacent day nursery, Springfield School and the nearby children's centre and given the public nature of on street parking, this is not in the control of the applicant and as such its provision for worshippers cannot be guaranteed. It is therefore considered appropriate to impose a car park management condition to ensure that the onsite parking is managed in the most proactive manner possible and a condition for the provision of a Travel Plan to include details of monitoring of mode share, single car occupancy, parking surveys (within 350 metres of the site) and a funding mechanism for mitigation of obstructive parking associated with the use. Transportation Development written comments are to be received but the officer has verbally suggested the conditions related to the Travel Plan provision and parking management strategy as outlined above.

## 7. Conclusion

- 7.1. The proposal is considered to be acceptable as it would provide improved facilities for an existing place of worship for the local population. The proposal is acceptable in principle and would not adversely affect the amenities of residents in the area by reason of noise or disturbance to unacceptable levels and as such is recommended for approval subject to the imposition of planning conditions as discussed within this report.

## 8. Recommendation

- 8.1 Approve, subject to conditions.

- 
- |   |  |
|---|--|
| 1 | Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
| 2 | Requires the prior submission of roof dome design details  |
| 3 | Requires the prior submission of boundary treatment details  |
| 4 | Requires the prior submission of details of green/living wall  |
| 5 | Requires the prior submission of hard and/or soft landscape details  |
| 6 | Requires the prior submission of sample materials  |
-

- 
- 7 Requires the prior approval of the siting/design of the access
  - 8 Requires the prior submission of entry and exit sign and barrier details
  - 9 Requires pedestrian visibility splays to be provided
  - 10 Requires the prior submission and completion of works for the S278/TRO Agreement
  - 11 Requires the prior submission of cycle storage details
  - 12 Prevents occupation until the turning and parking area has been constructed
  - 13 The premises shall not be used for funerals or weddings other than the private family part of the wedding ceremony.
  - 14 Prevents the use of amplification equipment for external use
  - 15 Requires the scheme to be in accordance with the listed approved plans
  - 16 Implement within 3 years (Full)
  - 17 Requires the prior submission of a parking management strategy
  - 18 Requires the prior submission of a commercial travel plan
- 

Case Officer: Mohammed Nasser

## Photo(s)

**Fig 1 – Front Elevation facing onto Woodlands Road.**



**Fig 2 – Rear Elevation facing onto College Road.**





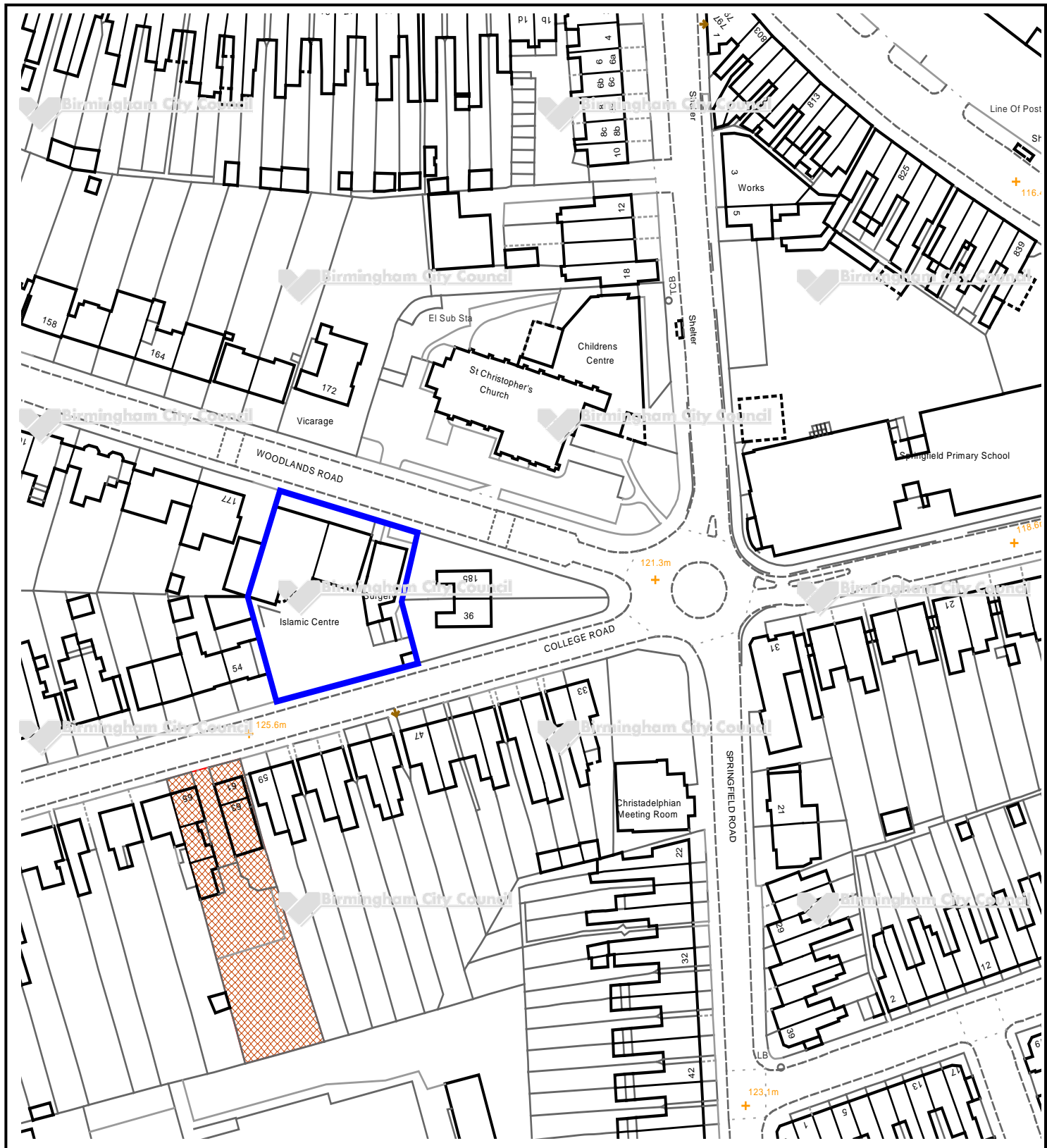
**Fig 3 – Doctors Surgery Building to be removed.**



**Fig 4 – Existing Car Park accessed from College Road.**



## Location Plan



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# **Birmingham City Council**

## **Planning Committee**

**22 June 2017**

I submit for your consideration the attached reports for the **North West** team.

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Defer – Informal Approval	11	2017/01428/PA  Land at 435 Walsall Road (vacant land adjacent Tower Hill Medical Practice) Perry Barr Birmingham B42 1BT  Erection of 20 dwellinghouses with associated parking and landscaping
Approve – Conditions	12	2017/02889/PA  Land at the junction of Lodge Road/Hurdlow Avenue Hockley Birmingham B18 5PH  Provision of 7 new affordable dwellings which comprise 1 no. 2 Bed 4 Person house, 4 no. 3 Bed 5 Person houses and 2 no. 4 Bed 7 Person houses together with associated external works and landscaping

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Committee Date:	22/06/2017	Application Number:	2017/01428/PA
Accepted:	23/02/2017	Application Type:	Full Planning
Target Date:	06/07/2017		
Ward:	Perry Barr		

Land at 435 Walsall Road (vacant land adjacent Tower Hill Medical Practice), Perry Barr, Birmingham, B42 1BT

Erection of 20 dwellinghouses with associated parking and landscaping

Applicant: Mar City Homes  
Ground Floor TS1, Pinewood Business Park, Coleshill Road, Solihull,  
West Midlands, B37 7HG

Agent:

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Recommendation

**Approve Subject To A Section 106 Legal Agreement**

1. Proposal

- 1.1. The applicant proposes the erection of 20 dwelling houses with associated parking and landscaping on vacant land situated on Walsall Road next to Tower Hill Medical Centre.
- 1.2. The new development would be accessible from Walsall Road by both pedestrians and motorists. The general layout arrangement of the new dwellings would result in a development that has houses facing onto the newly created road network (both standard roads and shared surfaces) and other than 4 dwellings situated in the east of the site, having their back gardens backing onto other back gardens or along the side perimeter of the plot 11.
- 1.3. The new dwellings would comprise 12 x 2 bed houses; 2 x 3 bed houses and 6 x 4 bed houses.
- 1.4. The new dwellings would all be two storey high (with plot 7 providing bedrooms within its roofspace) and follow a generally consistent design with variations between different standard house types that include canopies, bay windows and the provision of rear wings to some.
- 1.5. Car parking would be provided at a ratio of 200% (with an additional space provided at units 1-7 and 16 through the provision of a garage).
- 1.6. The internal layouts of the units would provide a lounge, cloakroom and kitchen in the ground floor. The first floor would provide either two or three bedrooms (one with an en-suite) and bathroom. Within unit 7 the roofspace would provide two bedrooms and a bathroom.
- 1.7. All the units would be provided with a garden area that would measure at least 70 sq.metres.



- 1.8. The site would retain existing mature TPO trees that line the site boundary with Walsall Road whilst it is also proposed to incorporate landscaping within the site most notably along the main new road that would run from the west to the east within the site.
- 1.9. The applicant has provided a Design and Access Statement, Arboricultural report, Ecology report, Acoustic report, Drainage Strategy, Remediation Strategy and Traffic Survey in support of this application.
- 1.10. The applicant has made an offer of £130,000 to be used for purposes of helping provide off site affordable housing and or off site public open space. A financial viability appraisal of the scheme has been provided by the applicant to support the above offer, which concludes that an increased sum would render the scheme unviable.
- 1.11. Site area is 0.6 hectares. The density of the development would be approximately 33 units per hectare.
- 1.12. The proposal has been subject to an EIA (Environmental Impact Assessment) screening opinion and has been found to not warrant an EIA.
- 1.13. [Link to Documents](#)

## 2. Site & Surroundings

- 2.1. The application site is a vacant piece of land situated at the junction of Walsall Road to the west and Perry Park Crescent to the north. To the south is Tower Hill Medical Practice. To the east of the site is Perry Park with a gymnastics centre and Alexander Stadium set further into the park. The main part of the site is situated at a lower level to both Walsall Road and Perry Park Crescent. The trees that run along the site frontage with Walsall Road are mature trees protected by TPO's. The site is located in flood zone 1.

## 2.2. [Site map](#)

## 3. Planning History

- 3.1. 20.01.2017- 2016/06451/PA- Pre-application enquiry for the erection of 23 dwellings.- response provided which set out that the principle of residential is acceptable, provided other planning guidance including that relating to the design and layout meet policy requirements.
- 3.2. 07.01.2013- 2012/06884/PA- Minor Material Amendment attached to 2011/08439/PA for the addition of stairs & a vehicular gate, alterations to slope, additional 2 bedroom unit on the ground floor & additional bedrooms on the lower ground floor associated with the erection of an assisted living residential building and primary care centre- approved with conditions.
- 3.3. 27.04.2012- 2011/08439/PA- Erection of a 3 storey assisted living residential building together with a 3 storey Primary Care Centre, providing ancillary medical services including a dental suite and pharmacy (Use class C2). Site works to also

include new access/exit point, car parking, amenity area and new substation-approved with conditions.

#### 4. Consultation/PP Responses

- 4.1. Surrounding occupiers, local councillors, community association and MP notified as well as site and press notices displayed- 1 response received from Perry Hall Community Association who object to the scheme. Their objections can be summarised as following:- The previous approval to use the site for sheltered/assisted housing would be better as there are a large number of older residents in the area; parking would be a major issue, the adjacent doctors surgery already have a problem with too few parking spaces, the development will make parking problems worse, the development would add to the traffic problem in the area and the site does not offer a convenient place to turn into/out when travelling north up the Walsall Road.
- 4.2. Transportation Development- No objection subject to conditions that include vehicular visibility splay in line with the appropriate standards for the vehicular speed along the new access road to be incorporated / maintained at all vehicular accesses off the new access road, pedestrian visibility splay of 3.3m x 3.3m x 600mm at the access providing access to more than one properties, any highway works including any alteration to the existing vehicular access to the site off Walsall Rd and reinstatement of any redundant footway crossing(s), any work relating to any street furniture/statutory undertakers' apparatus, any work related to lighting etc. to be agreed with Highway Authority and all necessary consents, licenses, permits or agreements have been completed or obtained in respect of such measures and a maintenance plan would be required for landscaping, trees etc.
- 4.3. Regulatory Services- recommend conditions to secure implementation of the submitted remediation strategy and verification of its implementation and conditions to secure appropriate noise insulation and a noise reduction barrier (solid fencing) to the boundary where rear gardens abut the neighbouring medical practice site and the provision of vehicle charging points.
- 4.4. Leisure Services- no objection and request the payment of £111,775 to be spent on the provision, improvement and or maintenance of POS and play facilities at Perry Hall Park and that a condition is attached that requires the line of the boundary between the site and Perry Hall Park to be detailed and agreed with Leisure Services.
- 4.5. Local Lead Flood Authority- recommend conditions related to the requirement to submit a sustainable drainage scheme and associated details and a Sustainable Drainage Operation & Maintenance Plan allowing this scheme to progress to the next stage of design.
- 4.6. West Midlands Fire Service- no objection.
- 4.7. Severn Trent- no objection subject to a condition that requires details of drainage plans for the disposal of foul and surface water flows and such agreed details to be implemented.

- 4.8. West Midlands Police- request that works are carried out to standards laid out in Secured by Design 'Homes 2016' guide, request that recessed areas should be reduced as much as possible, that the position of gates are clearly indicated, a lighting plan is produced and that any boundary that abuts a publicly accessible space is no lower than 2.1 metres in height.

5. Policy Context

- 5.1. Saved policies UDP (2005); Birmingham Development Plan (2017), SPG Places for Living, SPG Places for All, SPD Car Parking Guidelines, SPD Public open Space in new Residential Development and the NPPF.

6. Planning Considerations

- 6.1. The development gives rise to a number of planning issues, these are considered below:-
- 6.2. Policy- Part 3.21 of the adopted BDP states "At the heart of the City's growth agenda will be the promotion of sustainable neighbourhoods as a means of supporting the City's increasing and diverse population in the most sustainable way. ". It continues in part parts 3.22 to 3.27 by stressing that emphasis will be placed on achieving a high standard of housing design, delivering a wide choice of housing, delivering as much new housing that the City needs within the urban area as possible and to ensure the most effective use of land to ensure a density of 40 units per hectare throughout most new residential schemes with higher densities in the City Centre. The need to provide more housing over the life of the BDP is identified by Policy PG1 which states "Over the plan period significant levels of housing, employment, office and retail development will be planned for and provided along supporting infrastructure and environmental enhancements". The need to increase the City's housing stock over the BDP period is further reinforced by commentary in parts 4.1 – 4.6 (planning for growth).
- 6.3. More specific housing policy guidance within the BDP is further provided by parts 8.1 to 8.10 and Policy TP 27, which comments in part 8.5 that all new residential developments will need to demonstrate they are meeting the requirements of policy TP27. Policy TP 27 itself sets out various characteristics of sustainable neighbourhoods. Policy 28 of the BDP sets out the key principles the location of new development should adhere to.
- 6.4. Principle- I consider the principle of using the land for housing accords with BDP policy and commentary set out above in that the proposal would increase the City's housing stock and that it would provide housing on land that was previously granted consent to be built on with an assisted living residential building. Furthermore, the site sits opposite houses on Perry Park Crescent and also Walsall Road. For these reasons I consider the principle of establishing a new build residential development on this site is acceptable and accords with parts 3.21 -3.27, 8.1 -8.10 and policy PG1 of the BDP as well as the relevant sections in policy TP27 which apply in determining the principle of using land for new housing (all other requirements of TP27 related to different impacts of the development will be tested in later sections of this report). Similarly, the relevant sections in policy TP 28 in assessing the principle of the use of the site for housing are met in that the site is not within either flood zone 2 or 3 and the site use is not in conflict with other specific policies in the



BDP such as designated Core Employment Areas, open space allocation and the revised green belt. Finally, with respect to the matter of the principle of using the site for housing I can confirm my Planning Policy advisor raises no objection to principle of using the site for residential purposes.

- 6.5. Type, size and density of new housing- Policy TP30 of the BDP set out policy on the type, size and density of new housing within developments. Effectively it sets out that proposals for new housing should seek to deliver a range of dwellings to meet local needs and support the creating of mixed, balanced and sustainable neighbourhoods.
- 6.6. Mindful of the above policy objectives, I can confirm that in terms of the proposed development itself the proposed mix of 12 x 2 bed houses, 2 x 3 bed houses and 6 x 4 bed houses is acceptable. The strategic housing market assessment highlighted that generally across the city the need for 3 bed room accommodation is being met but the need for 2 and 4 bed and larger is not being met. This development, where 90% of units have 2 or 4 bedrooms, would contribute toward meeting this need. I consider that on this basis, the type and size of the new housing is acceptable in this location. My Housing advisor concurs with this view.
- 6.7. Design- Policy PG3 of the Birmingham Development Plan (2017) sets out that 'All new development will be expected to demonstrate high design quality, contributing to a strong sense of place'. It also states that new development should reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and the local area context, including heritage assets and appropriate use of innovation in design.
- 6.8. Mindful of the above, this application has been submitted following pre application discussions. The submitted scheme now reflects guidance that was provided to the applicant. The general layout of the development now accords with good urban design principles of seeking to attain street facing blocks with gardens backing onto one another which not only provides for active frontages but also reduces the opportunity for crime. The proposed street layout follows a logical path by linking the development both by pavement and road to Walsall Road with a central spine road providing a dedicated footpath for pedestrians. The overall development is interspersed with landscaping that helps soften the visual appearance of the development. The development would ensure that the existing mature TPO trees that line the site frontage would be retained which would positively enhance the visual appearance of the development.
- 6.9. The design and mass of the new buildings would fit in with this area and create a new place for residents with each street scene characterised by designs which form a visually coherent development. The spatial composition of the new buildings, comprising link terraces, semi detached and detached dwellings would, in addition to the varying architectural styles of the houses, ensure the development does not appear cramped. In order to help prevent delay in the commencement of development in the event this application is approved, due to long lead times in material orders being delivered, the applicant has provided details for agreement of the main external materials to be used in the construction of the dwelling houses at this stage. This entails the use of Ibstock Alderly Burgundy bricks for their façade, Russells Grampion slate grey roof tile and grey upvc window frames, which I consider are acceptable. Similarly the applicant also seeks agreement at this stage to the boundary treatment details to the site and to each dwelling, which include the

provision of an acoustic fence along part of the site boundary that would abut the car park to the medical centre. I consider that other than the boundary details to Perry Hall Park, the boundary details submitted are acceptable. Leisure Services have specifically requested that the boundary details to Perry Hall Park should be agreed with them through a condition. My Urban Design adviser confirms acceptance of the material details submitted for agreement at this stage.

- 6.10. Overall, the layout and design of the new development complies with good urban design principles and is expected to visually enhance this location and it accords with the place making aspirations set out in adopted SPG Places for Living, SPG Places for All, policy PG3 and TP27 of the BDP. My Urban Design Advisor concurs with this view. My Tree officer raises no objection to the scheme subject to a safeguarding condition that specifies compliance with the submitted Tree report and tree protection drawing. The Tree report (which includes the tree protection drawing) has been cross referenced in the agreed plans condition.
- 6.11. Highway matters- Transportation Development raise no objection subject to conditions. I concur with this view. The site has previously benefited from planning approvals (2011/08439/PA and 2012/06884/PA) which allowed the erection of a 3 storey assisted living residential building (as part of a wider scheme that including the 3 storey Primary Care Centre built adjacent to the site). The previous proposal included 69 units containing 109 bed-spaces within the proposed assisted living accommodation. It is considered that the current proposal would be unlikely to increase traffic to/from the site significantly compared to the previous approval.
- 6.12. With respect to accommodating the anticipated level of maximum parking demand that the development would be expected to generate in this location, current parking guidelines specify maximum parking provision of 2 spaces per residential unit. The applicant is proposing the provision of 2 parking spaces per unit (excluding garages to some units).
- 6.13. As the proposed access drive would be adjacent to the existing medical centre and therefore, there is a possibility that on-street parking, associated with the medical centre, might take place along this access-road. Therefore, it is recommended that TROs to control on-street parking on the proposed new access-road are applied. This can be secured through condition.
- 6.14. The applicant is proposing to utilise the existing bell-mouthed vehicular access off Walsall Rd to provide vehicular access to the site. Any associated highway works can be agreed under a condition.
- 6.15. Relevant parking/highway policy guidance contained within the adopted BDP includes achieving sustainable neighbourhoods (TP 27) through providing convenient options to travel by foot, bicycle and public transport with reduced dependency on cars and options for remote working supported by fast digital access. This development would achieve these through a layout that provides well defined pedestrian paths in and through the site, its location adjacent Walsall Road which is well served by public transport which is to be upgraded to support an expanded city wide cycle network whilst the development will provide broadband connections to each dwelling. Policy 28 expands on this theme of sustainability, through the location of new development, where in relation to parking and highway matters it states new residential developments should be accessible to jobs, shops and services by modes of transport other than the car. This development meets this policy objective through its location adjacent a medical centre and walking distance to nearby retail outlets and public transport.

- 6.16. I therefore conclude that the proposal is acceptable from a highway perspective and that relevant BDP policies would be complied with.
- 6.17. Environmental- Regulatory Services raise no objection subject to conditions to secure the implementation of the submitted remediation strategy and conditions to secure appropriate noise insulation and a noise reduction barrier (solid fencing) to the boundary where rear gardens adjoin the neighbouring medical practice site. I concur with this view.
- 6.18. The proposed development would establish a new build residential development in an area near to existing residential uses. To the south is a medical centre which separates the warehouse/commercial premises further south from the site. The main source of noise that residents may be expected to be exposed to is that from vehicles on Walsall Road. In order to protect the amenity of residents within habitable rooms of the development that would face Walsall Road, it is recommended that a noise insulation condition is applied to secure appropriate noise insulation. It is also recommended that a separate noise insulation condition is applied to those noise sensitive points on the new dwellings not facing Walsall Road to help safeguard residents from noise that may emanate from Tower Hill medical centre. To achieve this, it is recommended that a condition is applied to secure an appropriate acoustic fence along the site boundary where the rear gardens of dwellings meet the medical centre.
- 6.19. The BDP also sets out a series of policy objectives with respect to achieving developments that are sustainable. Environmental objectives relevant to this development within the BDP are contained within TP1 (reducing carbon footprint), TP2 (adapting to climate change), TP3 (sustainable construction), TP4 (low and zero carbon energy generation), TP7 (green infrastructure network), TP 27 (sustainable neighbourhoods) and TP 43 (low emission vehicles). I have therefore set out how the development meets the objectives of these policies below.
- 6.20. The development would seek to reduce its carbon footprint, adapt to climate change and also enhance and protect the green infrastructure network through various ways. These include ensuring that no air conditioning is necessary to occupy the development as residents will be able to rely on natural ventilation for the dwellings. Other ways of achieving the above include integrating the development with green infrastructure through the retention of a line of mature trees along the site frontage and incorporating landscape planting. However, the provision of green roofs has been explored by the developer, but was found not to be viable.
- 6.21. Sustainable construction will be sought through a series of means that include ensuring maximum energy efficiency and the use of low carbon energy (by conforming with the requirements of building regulations); encouraging water conservation through the provisions of a SUDS strategy incorporating permeable paving and underground attenuation, using standard materials thereby taking advantage of existing building stock and production facilities rather than making use of exotic materials and or extended supply chains and production facilities (which may increase the development carbon footprint and pressure on scarcer resources), waste will be reduced and recycling adopted where possible during construction and operation through the adoption of a waste management strategy which would separate waste at source into recyclable and non recyclable waste with the ability of

residents thereafter to sort waste created by themselves through the use of separate municipal waste bins, the development will be flexible to future adaption by residents by providing scope for some occupiers to potentially provide for loft conversions (subject to planning) and finally measures to enhance bio-diversity would include the retention of mature trees on site and new landscape planting.

- 6.22. Low and zero carbon generation has been considered by the developer, they have concluded that connecting to a district heating scheme is not viable. However, they have confirmed that the development would have smart meters installed which will help reduce energy consumption and therefore expected to reduce energy demand and less production of carbon.
- 6.23. I note that the development provides the opportunity to try and tackle exhaust emissions that may arise from cars of future residents through the provision of electric charging points. Policy TP 43 (low emission vehicles) states "Proposals for Low Emission Vehicles will be supported by ensuring that the new developments include adequate provision for charging infrastructure e.g. electric vehicle charging points in car parks, measures to encourage LEV use through Travel Plans and other such initiatives, where appropriate the City Council facilitating the introduction of charging points in public spaces, working with partners to explore how the use other alternative low emission vehicle technologies can be supported e.g. hydrogen fuel cells across a range of modes e.g. private cars, buses and/or small passenger and vehicle fleet, keeping under review the need accommodate other infrastructure for other forms of LEV e.g. Hydrogen refuelling". I consider the proposal provides the opportunity to provide LEV charging points in order to help reduce emissions.
- 6.24. In summary, the proposed development is not expected to give rise to any adverse environmental impacts subject to condition and the environmental policy objectives of the BDP would be complied with.
- 6.25. Overlooking- Distance separation from each habitable room window of the proposed dwellings to the private gardens and other habitable windows of the other dwelling in the development complies with minimum distance guidelines contained within adopted SPG Places for Living.
- 6.26. Amenity area- Private garden areas would meet or exceed your committee's guidance in Places for Living.
- 6.27. Bedroom sizes- The internal spatial sizes of each house type and their respective bedrooms have been assessed against size guidelines contained within Technical housing standards- nationally described space standard. Unit type 2.02 (6 units) and type 4.06 (1 unit) would measure 64 sqm and 126 sq.m overall respectively in comparison to the target size of 70 sqm and 130 sq.m set out in national standards. Otherwise national guidelines would be exceeded and overall I consider bedroom sizes to be acceptable.
- 6.28. The overall size of every bedroom within the development complies with minimum size standards set out in Technical housing standards- nationally described space standard.
- 6.29. Drainage- Policy TP2 (adapting to climate change) of the adopted BDP sets out measures that that would help manage the impacts of extreme weather and climate change, which include managing flood risk and promoting sustainable drainage

systems (Policy TP 6); promoting and enhancing a green infrastructure network in the City (TP 7), protecting the natural environment and promoting and enhancing biodiversity and eco-systems (Policy TP 8), encouraging greater resilience to extreme weather conditions in the built environment and to transport, energy and other infrastructure. It further sets out ideas as to how to minimise overheating.

- 6.30. More specific policy guidance on drainage is provided in Policy TP6 (Management of flood risk and water resources). This sets out that a Sustainable Drainage Assessment and Operation and Maintenance Plan will be required for all major developments. This policy seeks to ensure that developers demonstrate that the disposal of surface water for the site will not exacerbate existing flooding and that exceedance flows will be managed. For all developments where a site specific Flood Risk Assessment and/or Sustainable Drainage Assessment is required, surface water discharge rates shall be limited to the equivalent site specific greenfield run off rate for all return periods up to the 1 in 100 year plus climate change event, unless it can be demonstrated that the costs of achieving this would make the proposed development unviable.
- 6.31. To minimise flood risk, improve water quality and enhance biodiversity and amenity all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS).
- 6.32. Policy TP 27 (Sustainable neighbourhoods) states “ All new developments will need to demonstrate that it is meeting the requirements of creating sustainable neighbourhoods”. It carries on by identifying that environmental sustainability and climate proofing can be achieved through measures that save energy, water and non renewable resources and the use of green and blue infrastructure.
- 6.33. In order to address the requirements of drainage policy set above, the applicant has submitted a Drainage Strategy with this application. After reviewing this document, my drainage advisor recommends conditions are attached in relation to the requirement to submit a sustainable drainage scheme and associated details and a Sustainable Drainage Operation & Maintenance Plan thereby allowing this scheme to progress to the next stage of design. I concur with this view. The details submitted at this stage have sought where possible to try and deal with the requirements of the above policies which includes having to carry out a soakaway test at the detailed design stage to investigate the infiltration rate (to seek to deal with surface water run off in the hierarchical manner set out in TP6). I therefore raise no objections to the proposal on drainage grounds subject to conditions.
- 6.34. Management and maintenance- One of the ways Policy TP 27 of the BDP characterises sustainable development (an aim new residential developments such as this are expected to meet) is the effective long term management of buildings, public space, waste facilities and other infrastructure, with the opportunities for community stewardship where appropriate. The applicant has confirmed that he is happy to either allow for the adoption of all shared areas in the development, including landscaping and roads/pavements, or if not adoptable by the Council, to maintain these through a management company on an ongoing basis.
- 6.35. Digital communications- Policy 46 of the BDP sets out policy on the provision, accessibility and future flexibility (to reflect increasing demands to provide connectivity and data traffic for a range of purposes) that occupiers of developments may expect of digital technology. With respect to such policy objectives, the applicant has confirmed that BT connections will be provided to each dwelling to facilitate internet connections, this would allow a range of internet

providers to offer services to residents. I consider the provision of such digital infrastructure built into the development would meet the objectives of policy 46.

- 6.36. Local Employment- Policy TP26 sets out that the City Council will work closely with developers to identify and promote job training opportunities for local people and encourage the use of local supply chain to meet the needs of new developments. Whilst this is not a requirement that a developer must agree to, the developer has provided comfort that they will seek to obtain quotes and tenders from local trades and suppliers as part of the development process, which would also potentially open up employment opportunities for local people.
- 6.37. Objections from Perry Perry Hall Community Association- I note the objections to the scheme from Perry Hall Community Association and note they mainly centre around the issue of vehicle parking, congestion and the ability to turn in/out of the site. These matters have been considered as part of the assessment of this application, including by my Transport advisor, and such matters have been found to be not an issue with this development. With respect to their other objection that the previous approval to use the site was for sheltered/assisted housing would be better as there are a large number of older residents in the area, I can confirm that there are no planning policies that require the site be developed for sheltered/assisted housing and that an objection to the scheme on such grounds cannot be supported.
- 6.38. S106 Planning obligations- Policy TP31 of the adopted BDP sets out that the City Council will seek 35% affordable homes as a target developer contribution for schemes of 15 dwellings or more. This policy sets out that where an applicant considers that a development proposal cannot provide affordable housing as set out in the policy, the viability of the proposal will be assessed. The applicant has confirmed that he is unable to provide any on site affordable housing as part of this development and instead offers a sum of £130,000 for the provision of affordable housing or improvements to POS and childrens play as a commuted sum.
- 6.39. With respect to the usual Public Open Space and Childrens Play that a development of this size generate the demand for, in lieu of there being no on site provision for such my Leisure Services advisor advises it would be expected that a commuted sum of £111,775 should be provided instead.
- 6.40. Leisure Services consider that the scheme generates a requirement for a commuted sum of £111,775 for public open space/children's play provision. They wish for the money to be spent on the provision, improvement and or maintenance of POS and play facilities at Perry Hall Park. In response I note that BDP policy with respect to Public Open Space is contained within Policy TP9. This states "New developments, particularly residential, will place additional demand upon all types of open space and children's play areas. New residents, visitors to Birmingham and people working within the City all place varying demands upon open space". It continues by identifying that new residential developments provision of new public open space will be required broadly in line with the standard 2 ha per 1000 population. Mindful of this, I note that the latest available City data (May 2013) on Public Open Space and Public Playing Field provision identifies that Perry Barr ward has the 4<sup>th</sup> highest (out of 40) level of such provision per 1000 population in the City. Its actual provision of 5.02 hectares per 1000 population is double the City wide target. When the close proximity of this provision such as at Perry Hall Park (situated next to the site) is taken into account I consider that the priority spend for the commuted sum should be on the provision of affordable housing.

- 6.41. With respect to the allocation of the commuted sum for affordable housing, my Housing advisor has confirmed that the sum offered in lieu of no on site affordable housing is deemed to be reasonable. I note that since BMHT started building in 2012 they have used Section 106 commuted sums to support their build programme.
- 6.42. I therefore recommend that the commuted sum is secured to support the provision of affordable housing using a wider spend profile in the Section 106 agreement allowing a city wide spend. This will not only help ensure that there is greater likelihood of the money being used in the build programme of a BMHT scheme (or other RSL schemes) but also that there is a greater likelihood of using the commuted sum for the intended purpose, which is to help meet the City's affordable housing need.
- 6.43. With respect to the actual level of provision that the commuted sum of £130,000 represents in terms of affordable units, I note that on the basis of HCA grant levels it is estimated that this would subsidise 4 affordable housing units representing a provision of 20% of the overall size of this development. Such a level of affordable provision is acceptable and is supported by a financial appraisal that concludes the commuted sum offered is an acceptable offer. I can confirm that the City Council appointed independent assessor of S106 financial appraisals has reviewed the submission and concluded that the S106 offer made is satisfactory in the context of the schemes financial breakdown.
- 6.44. In summary, I consider that the offer of a commuted sum of £130,000 is acceptable sum in the context of the viability of the scheme. With respect to the competing end uses that sum of money could be put to, I consider that on balance, after taking account of the situation with respect to Public Open Space in the ward and the demand for affordable housing which the commuted sum could be used to provide, that the sum is allocated in helping provide off site affordable housing. By incorporating the spend into larger BMHT or other RSL schemes (where possible) this will also help allow maintenance and other costs to be kept lower, and hence money to go further, in comparison to simply providing 4 stand alone affordable units within this application site. My housing concurs with this view.

## 7. Conclusion

- 7.1. The proposed development would bring forward the site which has historical consents for residential type developments for a scheme that would provide 20 houses. The development has been well designed, and will help deliver off site affordable housing thereby helping meet longer term BDP objectives of increasing the City's housing supply. No adverse impacts identified subject to safeguarding conditions.

## 8. Recommendation

- 8.1. Approve subject to a Section 106 Legal Agreement.



- 8.2. 1. That consideration of Application No: 2017/01428/PA be deferred pending the completion of a planning obligation under Section 106 of the Town and Country Planning Act to secure the following:-
- 8.3.
- 8.4. i) The payment of £130,000 (index linked to construction costs from the date of the Committee resolution to the date on which payment is made) towards the provision affordable housing within the city.
- 8.5. ii) Payment of a monitoring and administration fee associated with the legal agreement subject to a contribution of £4,550.
- 8.6. 2. In the absence of the completion of a suitable planning obligation to the satisfaction of the Local Planning Authority on or before the 29th June 2017, planning permission be REFUSED for the following reasons:
- 8.7. i) In the absence of a suitable planning obligation to secure affordable housing, the proposed development conflicts with Policy TP 31 of the Birmingham Development Plan 2017 and with paragraph 50 of the National Planning Policy Framework (2012).
- 8.8. That the City Solicitor be authorised to prepare, complete and seal the appropriate planning obligation under Section 106 of the Town and Country Planning Act.
- 8.9. That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority on or before the 29th June 2017, favourable consideration will be given to the application subject to the conditions listed below:

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| 1  | Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures                               |
| 2  | Requires vehicular visibility splays to be provided  |
| 3  | Requires the prior submission and completion of works for the S278/TRO Agreement   |
| 4  | Requires the prior submission of hard and/or soft landscape details  |
| 5  | Requires the prior submission of a landscape management plan   |
| 6  | Requires the submission of a sustainable drainage scheme   |
| 7  | Requires the submission of a Sustainable Drainage Operation and Maintenance Plan   |
| 8  | Requires the scheme to be in accordance with the listed approved plans   |
| 9  | Requires the prior submission of a contamination remediation scheme  |
| 10 | Requires the prior submission of a contaminated land verification report   |
| 11 | Requires the submission and implementation of a noise insulation scheme to elevations facing Walsall Road                |
| 12 | Requires the submission and implementation of a noise insulation scheme to elevations that do not face onto Walsall Road |
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- 13 Requires details of plans for the disposal of foul and surface water
  - 14 Requires the prior submission of hard surfacing materials
  - 15 Requires details of foul and surface drainage details
  - 16 Requires the prior submission of sample materials
  - 17 Requires the prior submission of level details
  - 18 Removes PD rights for new windows
  - 19 Prevents the occupation of any dwelling until the road and or shared road surface that provides access to it has been constructed.
  - 20 Requires the prior submission of boundary treatment details to Perry Hall Park to be agreed and implemented
  - 21 Prevents occupation until the turning and parking area has been constructed
  - 22 Requires the prior submission of a lighting scheme
  - 23 Implement within 3 years (Full)
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Case Officer: Wahid Gul

## Photo(s)



View of site along Walsall Road

## Location Plan



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Committee Date:	22/06/2017	Application Number:	2017/02889/PA
Accepted:	13/04/2017	Application Type:	Full Planning
Target Date:	23/06/2017		
Ward:	Soho		

Land at the junction of Lodge Road/Hurdlow Avenue, Hockley, Birmingham, B18 5PH

Provision of 7 new affordable dwellings which comprise 1 no. 2 Bed 4 Person house, 4 no. 3 Bed 5 Person houses and 2 no. 4 Bed 7 Person houses together with associated external works and landscaping

Applicant:	Birmingham City Council Planning & Regeneration, 2nd Floor, No. 1 Lancaster Circus, Queensway, Birmingham, B2 2GL
Agent:	Oakley Architects Ltd 2B Hillwood Road, Sutton Coldfield, Birmingham, B75 5QL

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Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. Planning consent has previously been granted in 2015 under reference 2015/07284/PA for the development of 26 new dwellings on the site of a former residential tower block known as Norfolk Tower as part of the BMHT Housing programme. Development has recently commenced on site.
- 1.2. Subsequently, it has been established that the position of some existing underground services prevents the implementation of part of the approved layout. The layout has therefore been amended resulting in one less unit (the deletion of plot 8) and some revisions to the layout for plots 3-7 and 9-10. This application therefore seeks planning consent for these amendments to the scheme.
- 1.3. Alongside these changes some non-material amendments have been submitted for the remaining plots (see planning history). The intention is to develop plots 1-2, and 11-22 under the existing consent, subject to these non-material amendments, and to then implement the 7 plots under this application. This is to ensure that the development can proceed without delay.
- 1.4. The house types are generally as previously approved with some minor changes to the elevations, principally to simplify the design to be more cost-effective. The houses retain the generously proportioned windows but without the box surrounds that were previously approved, and bay windows have been removed from plots 3-6. The re-positioning of the dwellings has some minor changes to the rear gardens sizes though these continue to meet the minimum guidelines in Places for Living, and range from 59 square metres to 127 square metres.



- 1.5. Parking would be provided in curtilage on driveways, consistent with the previous approval, providing 100% for the smaller properties and 200% for the larger houses.
- 1.6. The application is accompanied by a planning statement, geotechnical and geo-environmental assessment, remediation method statement, arboricultural survey, extended phase 1 habitat survey, bat survey, ecological enhancement and mitigation strategy, surface water drainage statement, construction management plan.

1.7. [Link to Documents](#)

2. [Site & Surroundings](#)

- 2.1. The tower block has recently been demolished and the site cleared. Development of the site has commenced.
- 2.2. The surrounding area is predominantly residential in character with a mix of house styles. The site adjoins some areas of open space to the north and south east of the site with Lodge Road intersecting these two areas of space.
- 2.3. [Site location and street view](#)

3. [Planning History](#)

- 3.1. 2017/02853/PA – Non-material amendment to approval 2015/07284/PA for variation to building elevations and external works to plots 1-2 and 11-26 – current application to be determined.
- 3.2. 10/12/2015 – 2015/07284/PA – Provision of 26 new affordable dwellings which comprise 9 no. 2B4P houses, 9 no. 3B5P houses, 6 no. 4B7P houses and 2 no. 5B8P houses together with the formation of new adopted highway, with associated external works and landscaping – Approved subject to conditions.
- 3.3. 17/10/2013 – 2013/07226/PA – Application for prior notification of proposed demolition. No prior approval required.

4. [Consultation/PP Responses](#)

- 4.1. Site Notices erected. MP, ward members, residents associations and neighbouring residents notified. No representations received.
- 4.2. Transportation Development – No objections.
- 4.3. Regulatory Services – No objections.
- 4.4. Lead Local Flood Authority – Comments that further details are required regarding SuD's proposals, recommends appropriate conditions regarding these details including subsequent operation and maintenance. Comprehensive implementation is required as part of the agreed drainage proposals for the wider scheme.

- 4.5. Severn Trent Water – No objections. Recommends drainage condition.
- 4.6. West Midlands Police – Comments that the scheme is well thought out and is supported, and that it is subject to a Secured by Design application.

5. Policy Context

- 5.1. BDP, UDP (saved policies), Places for Living SPD, Car Parking Guidelines SPD, Public Open Space and new residential development SPD, Affordable Housing SPG.

6. Planning Considerations

- 6.1. Planning permission has previously been granted for the redevelopment of the site as part of the Council's BMHT housing programme. The principle of the development has therefore been established. This application relates solely to 7 plots in the southern part of the site where some changes are required to the approved layout as a result of some unexpected problems with the location of underground services.
- 6.2. The main alteration is the omission of plot 8 and the associated changes to the configuration of plots 9 and 10. As approved, plots 8 and 9 were to be a pair of symmetrical semi-detached houses to be located adjacent to a retained footpath on the south side, with plot 10 being a detached dwelling with a cranked footprint to address the corner of the street in Hurdlow Avenue. The deletion of plot 8 results in plots 9 and 10 being paired with plot 10 retaining its cranked design. This now results in a larger area of amenity space at the side of plot 9 between the gable wall of the dwelling and the retained footpath. The curtilage of the plot would be defined by a hedge and railing with a trip rail along the edge of the amenity space with the adjoining footpath.
- 6.3. These alterations are considered to be acceptable, as they retain the perimeter block arrangement overall ensuring compliance with the guidance in Places for Living regarding public fronts and private rear spaces.
- 6.4. The changes to the setting out of plots 3-7 are very minor and are also acceptable.
- 6.5. The minor changes to the elevations of the houses are consistent with those that have been agreed as non-material amendments for the remainder of the development and are acceptable. The houses retain an appropriate level of architectural detail albeit simplified to delete the box surrounds to the windows and removal of some of the bay windows to ensure that the scheme can proceed as it was at the margins of being unviable. The proposal accords with the Council's policies on good urban design and are acceptable overall.
- 6.6. There would be no changes to the scheme in terms of its relationship to adjoining residents. There would be no issues of overlooking or loss of privacy.
- 6.7. The applicant has re-submitted information included previously in respect of ecology, trees, ground conditions, drainage as there are no changes proposed that affect these assessments. In addition, some information previously required by condition (including a construction method statement, additional bat survey, remediation details, sustainable drainage details, operation and maintenance plan,



materials, boundary treatments, soft landscaping, construction ecological mitigation plan and enhancement measures, street lighting, and section 278 works) has been provided. These details are generally acceptable although the details relating to sustainable drainage, S278 highway works and street lighting are subject to on-going discussions and so these conditions are recommended to be re-imposed. A condition to link implementation of this application to the implementation of the remaining development is recommended to ensure an appropriate comprehensive development is built, and to address the comments raised by Lead Local Flood Authority.

7. Conclusion

- 7.1. The proposal accords with the policies and guidance in the BDP, UDP (saved policies), Places for Living and the car parking guidelines SPD, and therefore I recommend approval subject to conditions.

8. Recommendation

- 8.1. Approve subject to conditions.

- 
- |    |  |
|----|--|
| 1  | Grants a personal permission to Birmingham City Council.   |
| 2  | Requires the provision of affordable dwellings   |
| 3  | Requires implementation to only be in conjunction with the implementation of planning approval 2015/07284/PA               |
| 4  | Requires the prior submission of a contaminated land verification report   |
| 5  | Requires the prior submission of a sustainable drainage scheme   |
| 6  | Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
| 7  | Requires the implementation of the submitted mitigation/enhancement plan   |
| 8  | Requires the prior submission of a lighting scheme   |
| 9  | Requires the development to be implemented in accordance with the approved level details.                                  |
| 10 | Requires the prior submission and completion of works for the S278/TRO Agreement   |
| 11 | Requires pedestrian visibility splays to be provided   |
| 12 | Requires the scheme to be in accordance with the listed approved plans   |
| 13 | Implement within 3 years (Full)  |
-

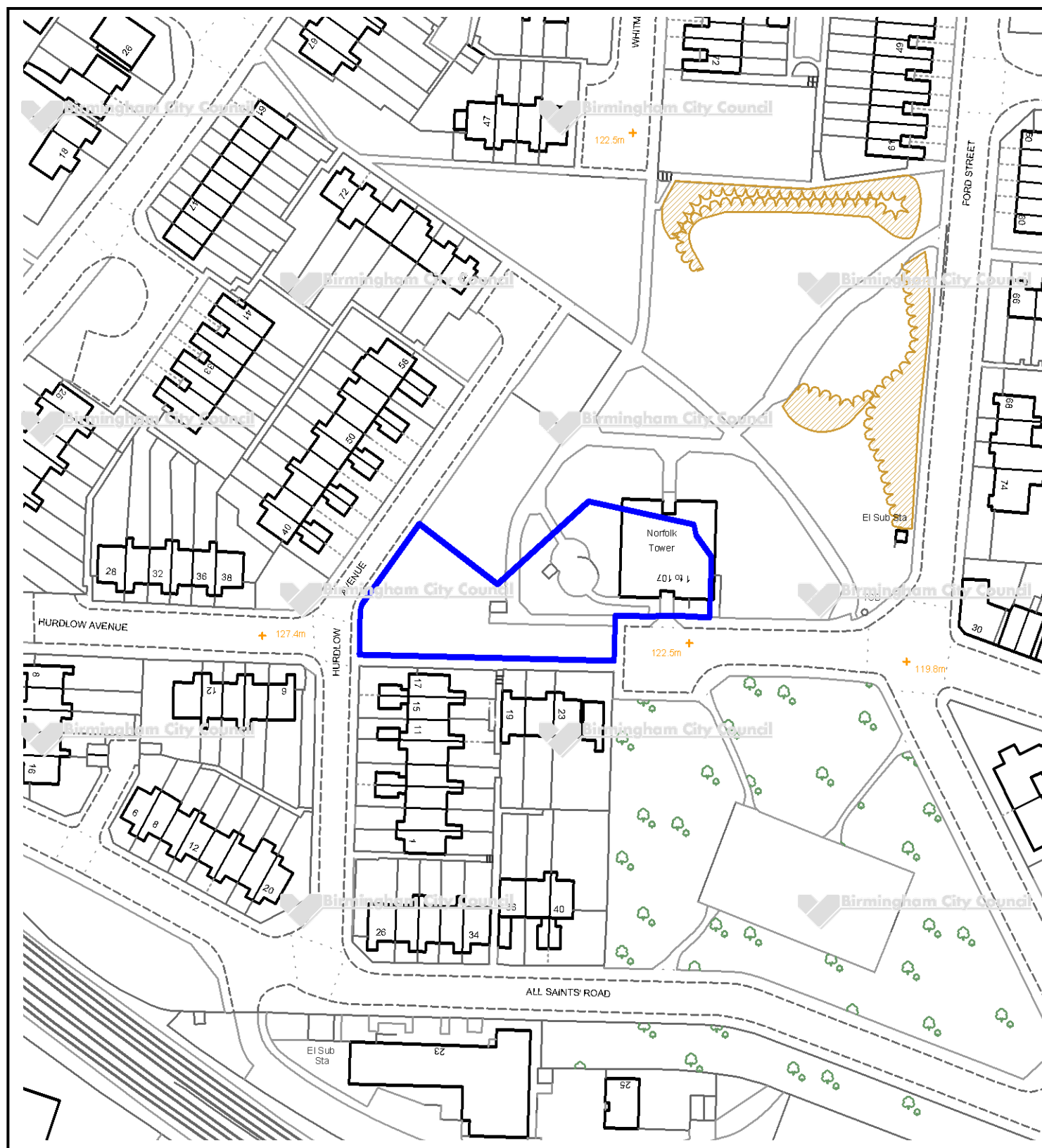
Case Officer:       Stuart Morgans

**Photo(s)**



**Figure 1 : Lodge Road**

## Location Plan



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# **Birmingham City Council**

**Planning Committee**

**22 June 2017**

I submit for your consideration the attached reports for the **City Centre** team.

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve - Temporary	13	2017/01843/PA  Land either side of Aston Expressway / Corporation Street Nechells Birmingham B4 7DP  Display of 2no. internally illuminated double sided free standing signs

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Committee Date:	22/06/2017	Application Number:	2017/01843/PA
Accepted:	16/03/2017	Application Type:	Advertisement
Target Date:	23/06/2017		
Ward:	Aston		

Land either side of Aston Expressway / Corporation Street, Nechells, Birmingham, B4 7DP

Display of 2no. internally illuminated double sided free standing signs

Applicant: Signature Outdoor  
1st Floor, 2 Snow Hill, Snow Hill Queensway, Birmingham, B4 6GA

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

1.1. [Link to Documents](#)

1.2. Advertisement consent is sought for the installation of two double sided digital adverts to be framed on bespoke structures located either side of the Aston Express Way/ Corporation Street.

1.3. The proposed advert structures would be of the same design specification and would each measure 12m in height, 4m in width and 1m in depth. The structures would be constructed in corten steel. The bottom half of the structure would be constructed in a V shape with a hollow triangular cut out section giving the advert structures an open appearance. The proposed adverts would be located at the top half of the overall structure and would be 6m in height and 4m in width.

2. Site & Surroundings

2.1. [Site location](#)

2.2. The proposed advert structures would be located opposite one another on either side of the Aston Expressway/Corporation Street.

2.3. The proposed advert structure to be sited on the west side of the Aston Expressway/Corporation Street would be located at the junction with Moland Street and on a small parcel of land directly adjacent to the back of pavement. This advert would replace a much larger pair of arch framed adverts which are situated on the land directly behind the proposed site. This proposed advert would be situated between two student residential blocks.

2.4. The proposed advert structure to be sited on the east side of the Aston Expressway/Corporation Street would be located on the pavement adjacent to a low wall bounding the Aston University Campus. There are trees adjacent to the proposed site and hoarding surrounding the rear of the Aston University Campus

behind the proposed site. To the southeast of the application site is the main Aston University campus building.

### 3. Planning History

- 3.1. 06/02/2013 - 2012/08381/PA – Display of 2 no. free standing digital billboards. Sign (A) proposed at the corner near Holt Street and Corporation Street and sign (B) opposite Moland Street. These adverts were proposed as single sided digital displays set in a steel structure measuring 15.2m in height, and 5.4m in width, the overall advert display was proposed as measuring 7.5m by 5m. This application was refused on the ground that the proposed advert structures would be highly visible and would appear incongruous in its location. The Council's decision to refuse consent was appealed and the appeal was part allowed and part dismissed. The dismissed advert was proposed approximately 10m away from the application site for the advert proposed to be located on the east side of Aston Express Way/ Corporation Street detailed in this application.
- 3.2. 10/01/2000 - 1999/05036/PA – Junction of Corporation Street/Moland Street - Installation of new paving, steps and landscaping works associated with the display of two externally illuminated 96-sheet display boards supported by metal loops. Approved subject to conditions.

### 4. Consultation/PP Responses

- 4.1. Transportation Development – No objections subject to conditions controlling the digital display details.

### 5. Policy Context

- 5.1. Birmingham Development Plan (BDP) 2017; Birmingham Unitary Development Plan 2005 (Saved Policies) and the NPPF.

### 6. Planning Considerations

- 6.1. The Town and Country Planning (Control of Advertisements) Regulations (2007) restricts Local Planning Authorities to consider only amenity and public safety when determining applications for consent to display advertisements.

#### *Amenity*

- 6.2. The NPPF, at policy 67, states that poorly placed adverts can have a negative impact on the appearance of the built environment. It adds that only those advertisements that will clearly have an appreciable impact on a building or to their surroundings should be subject to a Local Authority's detailed assessment. Finally it states that cumulative impact should be considered.
- 6.3. The details of the proposed adverts at these sites have been amended since this application was originally submitted. The overall scale of both adverts has been reduced from 14m in height to 12m and the design of the structures has been altered to a more contemporary appearance.
- 6.4. Each of the proposed adverts would be read within the street scene of Corporation Street/ Aston Expressway. The advert located on the west side of this street would be viewed between two larger scale student blocks and would replace larger scale advertisement structures. The advert proposed on the east side would be situated



adjacent to trees and viewed within the context of the main Aston University building when travelling into the City Centre.

- 6.5. I note the previous refusal and appeal decision for an advert structure proposed close to the proposed site of the advert proposed on west side of Corporation Street/ Aston Expressway. The advert proposed on the west side of Corporation Street/ Aston Expressway under this application is significantly smaller in scale than the previously refused scheme being 3.2m lower in height, 1.5m narrower in width. The design of the proposed structure in this scheme is of a more open appearance than the previously refused scheme.
- 6.6. I do not consider that these proposed adverts would constitute clutter and consider that the scale of each of the proposed adverts is acceptable within the location and context that each advert is proposed.

*Public Safety*

- 6.7. Transportation Development have considered this proposal and raise no objection subject to conditions controlling the display of the digital adverts. I therefore raise no objection to the proposals on public safety grounds subject to the imposition of suitable safeguarding conditions.

7. Conclusion

- 7.1. I consider that these adverts are acceptable in terms of impact upon the visual amenity of the area and are satisfactory in terms of public safety. The proposal therefore accords with policies of the Birmingham Development Plan and the NPPF.

8. Recommendation

- 8.1. That Temporary Approval is granted subject to the following condition:

- 
- |   |  |
|---|--|
| 1 | Limits the use of advert   |
| 2 | Limits length of the display of advert                                 |
| 3 | Limits the control of the intensity of the illumination                |
| 4 | Power Supply and Making Good of Damage                                 |
| 5 | Requires the scheme to be in accordance with the listed approved plans |
| 6 | Limits the approval to 5 years (advert)                                |
- 

Case Officer: Victoria Chadaway

## Photo(s)

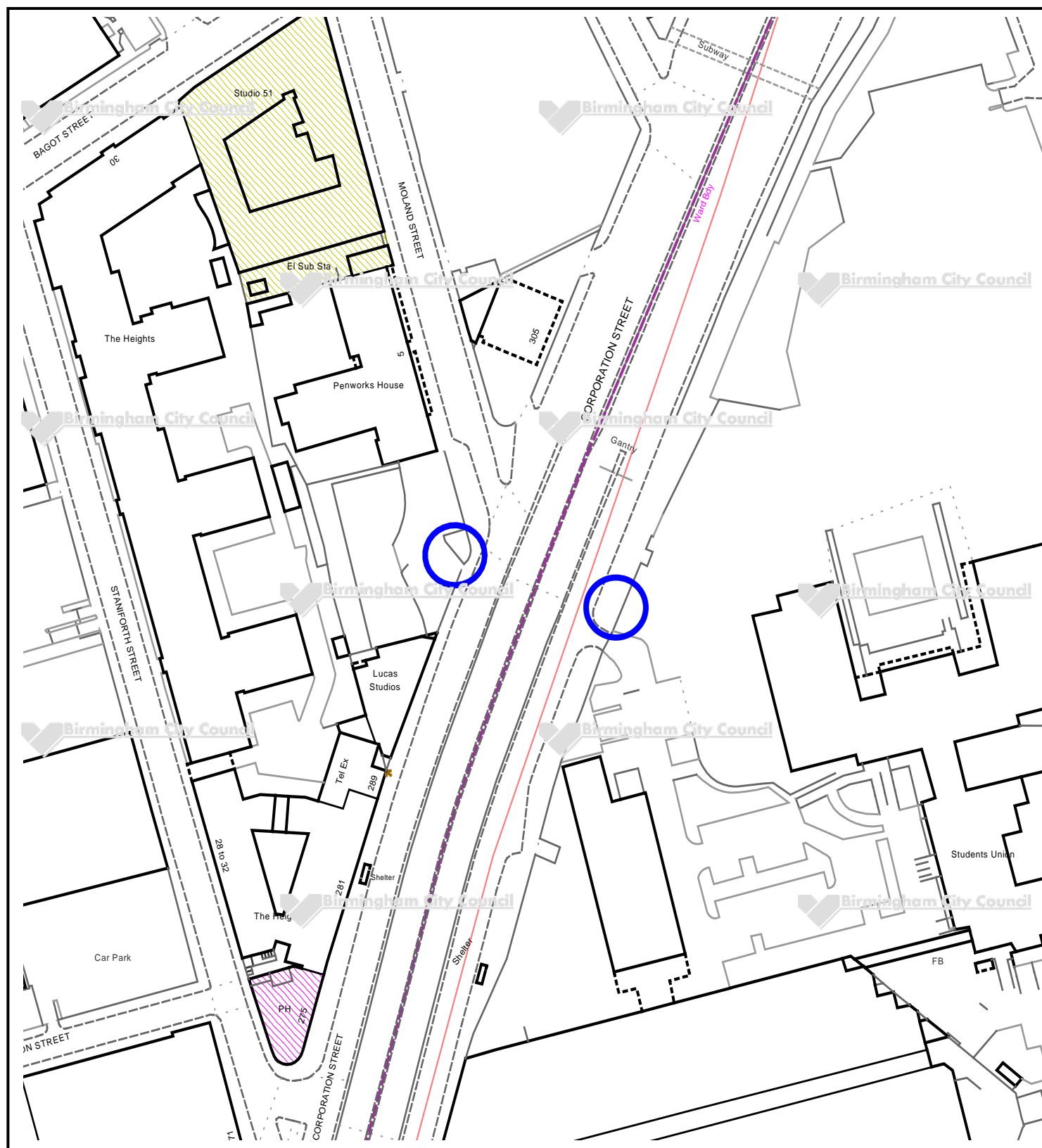


Fig 1. Photo of the proposed location of advert on the east side of the Aston Expressway/Corporation Street located at the junction with Moland Street – Arch advert structure to be removed.



Fig 2. Photo of proposed location of the advert on the west side of the Aston Expressway/Corporation Street.

## Location Plan



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**BIRMINGHAM CITY COUNCIL**

**REPORT OF DIRECTOR OF PLANNING AND REGENERATION**

**PLANNING COMMITTEE**

**22<sup>nd</sup> June 2017**

**WARD: NECHELLS**

**ISSUES REPORT**

**SUMMARY**

This report advises Members of a detailed planning application submitted by Seven Capital, for the clearance of the site and erection of 724 residential apartments and 3,529 sq.m of commercial/retail/leisure contained within four buildings at Connaught Square, High Street Deritend, City Centre. This report sets out likely issues to be considered when the proposal returns to your committee and your views on these issues and other issues that may not be included are sought.

**RECOMMENDATIONS**

That this report be noted.

Comments of your Committee are requested.

**CONTACT OFFICER**

Nicholas Jackson  
City Centre Planning Management  
Tel. No. 0121-675-3754  
Email: [nicholas.jackson@birmingham.gov.uk](mailto:nicholas.jackson@birmingham.gov.uk)

## **PURPOSE**

This report is intended to give Members an early opportunity to comment on this proposal in order for negotiations with the applicants to proceed with some certainty as to the issues Members feel are particularly relevant, require amending, or any additional information that may be sought.

**PLANNING COMMITTEE**    22<sup>nd</sup> June 2017                      Application            2016/08273/PA

**DISTRICT:**    CITY CENTRE

**LOCATION:**    Connaught Square (land bounded by High Street (Deritend), Rea Street, Bradford Street and Stone Yard), Digbeth, Birmingham

**PROPOSAL:**    Clearance of the site and the erection of new buildings ranging from 4 storeys to 20 storeys to provide 724 residential units and 3,529 sq.m of commercial/retail/leisure and community uses (Use Classes A1, A2, A3, A4, B1, D1 and D2) together with car parking, new public square and pedestrian bridges over the River Rea, landscaping, engineering operations and site clearance and associated works

**APPLICANT:**    Seven Capital

**AGENT:**            White Young Green

## **POLICY CONTEXT:**

Birmingham Unitary Development Plan 2005 (saved policies); Birmingham Development Plan 2017; Places for All SPG; Regeneration Through Conservation SPG; Car Parking Guidelines SPD; High Places SPG; Public Open Space in new Residential Development SPD; Loss of Industrial Land to Alternative Uses SPD; Affordable Housing SPG; Shopfronts Design Guide SPG; Places for Living SPG; and the National Planning Policy Framework 2012. Also the non-statutory Big City Plan and the Smithfield Masterplan.

## **RELEVANT PLANNING HISTORY:**

24th January 2008 - 2007/04049/PA – Approval - Erection of new floorspace to provide for residential, retail, commercial, leisure and community uses (Use Classes A1, A2, A3, A4, A5, B1, C1, C3 and D2) plus ancillary parking, servicing and amenity space. This scheme consented 667 residential units (including 36 serviced apartments) and approximately 23,630 sq.m of commercial floorspace comprising;

- 1,577 sq.m of A1 retail floorspace
- 2,940 sq.m of A2/B1 office floorspace at ground level
- 2,802 sq.m of B1 office floorspace at upper level
- 2,504 sq.m of A3, A4 and A5 retail floorspace
- 11,339 sq.m of C1 hotel floorspace (2,349.33 sq.m of serviced apartments)
- 884 sq.m of D2 spa complex
- 1,584 sq.m of community facilities in the form of a rebuilt Irish Centre

13<sup>th</sup> January 2011 - 2010/05820/PA - Application to replace an extant planning permission in order to extend the time limit for implementation for the erection of new floorspace to provide for residential, retail, commercial, leisure and community uses (Use Classes A1, A2, A3, A4, A5, B1, C1, C3 and D2) plus ancillary parking, servicing and amenity space

## **NATURE OF SURROUNDINGS:**



Connaught Square occupies 1.4 ha (including the river) of largely cleared land fronting High Street Deritend to the north, Rea Street to the west, Stone Yard/Birchall Street to the east and Bradford Street to the south. The site was cleared prior to 2011 except for a relatively small vacant industrial unit fronting Stone Yard previously occupied by a children's clothing store and a car repair garage. The west of the site is currently utilised as surface level parking with much of the site consisting of rubble and scrub vegetation. The base of one of the buildings that formerly occupied the site remains in situ above part of the river channel and what appears to be a former toilet block is situated on the High Street frontage. Two commercial advertisement panels sit at the corner of High Street and Stone Yard.

The site is dissected north/south by the River Rea which sits in a largely open culvert. Although the river typically sits at a very low level within the concrete channel, during periods of high rainfall the depth of the water can rise within the channel considerably.

The grade II listed White Swan public house is situated on the corner of Bradford Street and Birchall Street and the grade II listed Anchor public house is situated on the corner of Rea Street and Bradford Street, both late Victoria/early Edwardian buildings.

The Irish Centre fronts High Street to the east of the application site which has bars and function facilities. The Bull Ring Trading Estate is situated beyond. On the opposite side of Birchall Street is a collection of former industrial buildings and associated yards, with those that are occupied housing a shisha lounge and a hand car wash.

Obliquely opposite to the southeast the former Harrison Drape industrial building is undergoing conversion to residential apartments and is nearing completion, with new build blocks to the rear.

The S.K Building is situated on the opposite side of Bradford Street to the south of the site; this currently houses a cash and carry warehouse. A derelict building lies to the east of this building with the former Midland Heart offices beyond.

Digbeth Coach Station is accessed off Rea Street, with the main building situated towards High Street.

High Street contains a wide mixture of building types with heights varying from 2 to 5 storeys. The northern edge of the High Street is the southern boundary of the Digbeth, Deritend and Bordesley Conservation Area. The South Birmingham College building on the corner of Milk Street is grade II listed as is the Custard Factory to the east. Further east the Old Crown is Grade II\* listed. The warehouse incorporating a pyramidal roof at 85 Digbeth is grade II listed. Within the conservation area there are numerous locally listed buildings including the Institute and the Kerryman public house.

High Street Digbeth/Bordesley is a wide vehicular transport corridor that is up to 8 lanes wide in places.

[Location Plan](#)

## **DETAILS OF PROPOSAL:**

Since submission the application has been subject to a series of amendments reducing the number of apartments from 940 and the commercial/leisure floorspace from 5,839 sq.m.

Masterplan Layout



In response to the River Rea and further to discussions with Officers the layout of the proposed scheme divides the development into four separate blocks. This creates a north/south route either side of the river, and an east/west route through the centre of the site. The proposals show an extensive area of public realm including an area bridging over the river connecting the east/west route. To maximise the opportunity provided by the river whilst assisting with lowering the flood risk on site an area of terracing down to the river would be provided on its western bank. This would be publically accessible and provide seating opportunities.

Car parking would be provided within Block 3, which would be accessed from Stone Yard.

The majority of the ground floor areas of all buildings would be in commercial use with active frontages to street elevations and onto the key parts of the public realm.



*Fig. 1 - The Masterplan*

### Scale and Massing

Building 1 would consist of a 20 storey tower and lower 'shoulder' element situated on the corner of Rea Street and High Street. The tallest element would be situated on the High Street frontage; the building would then drop in height along Rea Street firstly to 9 storeys and then 7. There would be amenity areas for residents above these lower parts of the building. The building would have a cranked layout forming a shallow 'U' shape to provide more pavement space on the corner. The space between the building and the river would provide a part of the large area of public realm associated with the scheme, including a terraced area down to the river.

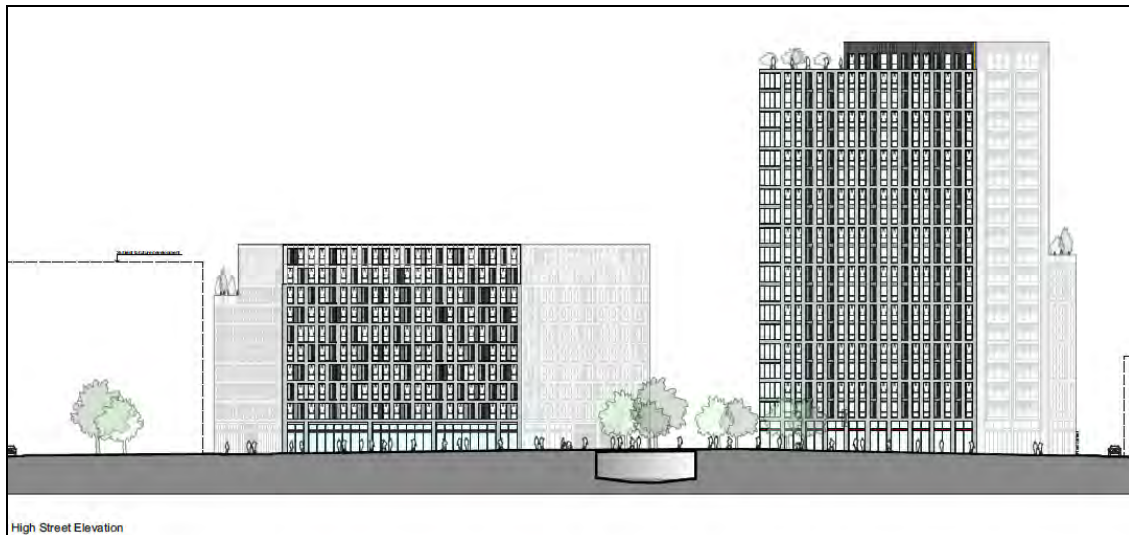
Building 2 would be situated to the south of Building one on the corner of Rea Street and Bradford Street. This 'L' shaped building further encloses the public realm to the rear beside the river. Building 2 would rise from 7 storeys to 8 towards Bradford Street.

Building 3 would be the largest building on plan situated between the new east/west route through the scheme and Bradford Street to the south and the river to the west

and Birchall Street to the east. This building would consist of a perimeter development of residential apartments with the White Swan public house completing the block. To the rear of the apartments there would be a large shared private amenity space above the car park.

In terms of scale, the proposals show a building that rises from four storeys to six then to eight storeys on the Bradford Street frontage. The building would drop in height to seven stories again on the riverside elevation. The building would continue at seven storeys in height until its junction with Stone Yard / Birchall Street where it drops to five stories before finally dropping to four stories adjacent to the White Swan.

The final building, Building 4, would address the High Street, the river, the east/west route and Stone Yard. Above the commercial podium the residential element would be 'U' shaped around the private amenity space. The building would be ten storeys to the High Street dropping to seven to the rear.



*Fig. 2 – High Street Elevation*

#### External Appearance and Materials

Brick would be the principal material to be used on the facades of the proposed buildings. The proposals would use three different brick types (grey, black and red) to provide visually distinct buildings across the site, whilst having the consistency of a single material. Generally the scheme shows grouped metal windows within reveals and both metal and brick panels. Ventilation to residential apartments would be provided via metal louvres built into the window design.

Building 1, incorporating the 20 storey tower, would be formed of grey brickwork with large metal framed windows running up the tower element. On the corner of the tower wide full balconies would be provided. Feature full height windows would be provided on the tower's north-eastern corner. The lower shoulder element would pair windows vertically with windows set within deep reveals.

Building 2 is also shown as a black brick building with a similar appearance to the shoulder element to Building 1.

Building 3 would be a red brick building. The two lower floors would be grouped with a brick surround with stair cores expressed as glazed features. The top two floors would be clad with metal cladding providing a visually distinct upper element. Along the new east/west elevation the JFK memorial would help enliven the car park/cycle storage elevation. The seventh floor would be recessed back with balcony space provided in front of these top level apartments.

Building 4 is shown as a grey building without the visual pairing of the lower floors and is of a similar appearance to Building 1, although rather than a regular regimented pattern to window placement, windows are off-set along the façade.

#### Public Realm

At the heart of the development would be the River Rea, splitting the site north/south. The development would provide a total of approximately 4,000 sq.m of publically accessible open space with the river as the centrepiece. A new pedestrian river crossing would provide the focus for the new public space with terracing on the eastern back providing a further visual resource. It is envisaged that this significant area of space could be used for temporary events and the space being predominantly hard landscaped, although opportunities for planting will be taken where appropriate.

The new bridge is located at a logical point in the masterplan, being at the intersection of the new north/south and east/west routes.

#### Amount of Development

Use	Amount
<b>Residential</b>	724 Apartments <ul style="list-style-type: none"> <li>- 368 one bed (51%)</li> <li>- 319 two bed (44%)</li> <li>- 37 three bed (5%)</li> </ul>
<b>Commercial / Leisure Uses A1-A4, B1, D1 and/or D2</b>	3,529 sq.m
<b>Car Parking</b>	106 Spaces

#### Supporting Information

This application is supported by a Planning Statement; Design and Access Statement; Residential Market Report; Financial Viability Assessment; Noise Assessment; Air Quality Assessment; Contaminated Land Assessment; Heritage Assessment; Archaeological Assessment; Flood Risk Assessment; Ecological Assessment; Sustainable Drainage Assessment; Transport Assessment; and a Travel Plan.

In addition, the applicant proposes extensive public realm works, the value of which would be secured through a S106 agreement. These works include (with estimated costings):

- Demolish existing bridge structure including temporary and permanent propping works - £200,000;
- Riverbank wall remediation and enabling work to deliver bridge link. Retaining wall repairs including aesthetics and structural works. River dredging - £100,000;
- New bridge of circa 250 sq. m and landscaped embankment - £400,000;
- Riverbank terracing- £300,000;
- Public realm works both on site and surrounding footpaths - £1,000,000; and,
- JFK Memorial relocation - £30,000.

The application proposals have been screened and it was concluded that the development would not be EIA development requiring the provision of an Environmental Statement.

[Link to Application Documents](#)

## **ISSUES:**

### Issue 1 - Land Use Policy

The previous use of this cleared site was for industrial use, however residential use has been granted in the past. The site is an Enterprise Zone Site and is identified in the Birmingham Development Plan as being within the Southern Gateway area of transformation. The Southern Gateway will be the focus for the expansion of the City Centre Core southwards through comprehensive redevelopment of the wholesale markets site. The BDP adds that development across the wider Southern Gateway area will need to address the sustainable management of the River Rea Corridor and be supported by infrastructure (including green) and services, employment opportunities, public spaces and improve connections to Highgate.

In terms of retail use, the BDP (TP21) sets a boundary for main centre uses within the City Centre, with the application site being beyond its southern boundary. However, being within the Southern Gateway area of transformation where the diversification of the city's retail offer is envisaged, the site can be considered as an allocation. Therefore a Retail Impact Assessment is not required.

The Planning Statement clarifies that of the 5,856 sq.m (GEA) of commercial space, a maximum of 2,400 sq.m would be A1 retail use. The remainder comprising of community and commercial uses (A2, A3, A4, B1, D1 or D2) including a community gym.

**Your Committee may wish to comment on the proposed mix of land uses**

### Issue 2 – Flooding and the River Rea

The BDP (TP28) requires residential development to be outside of flood zones 2 and 3a unless effective mitigation can be demonstrated.

The site is largely in Floodzone 3 with the remainder in Floodzone 2 with the River Rea bisecting the site north/south. The application is supported by a Flood Risk Assessment and discussions with the Environment Agency are ongoing. Terracing down to the river channel has been added as a result of these discussions. This would increase the channel capacity and therefore increase flood resilience.

**Your Committee may wish to comment on flooding issues and the approach to addressing the river**

### Issue 3 – Mix and size of the apartments

The Development Framework for the site seeks a mix of housing types and tenures and the Policy TP30 of the BDP states that new housing should seek to deliver a range of both market and affordable dwellings to meet local needs and should take account Strategic Housing Market Assessment as well as the locality and ability of the site to accommodate a mix of housing. Policy TP31 seeks 35% affordable homes on sites of 15 or more dwellings and includes the following details of the housing required across the City as a percentage.



Tenure	One bed	Two bed	Three bed	Four bed	Total
Market	8.1	14.9	17.3	21.9	62.2
Shared ownership	1.1	1.2	2.2	0.3	4.8
Affordable rent	3.7	11.6	5.3	0.9	21.6
Social rent/ requires subsidy*	1.7	3.0	1.6	5.0	11.4
Total	14.6	30.8	26.3	28.1	100

The proposed development shows the following mix across the development:

Type	Min. Size	Max. Size	Number	Percentage
1 Bed 1 Person	42sq.m	48 sq.m	355	49%
1 Bed 2 Person	50 sq.m	50 sq.m	12	1.7%
2 Bed 3 Person	61 sq.m	69 sq.m	239	33%
2 Bed 4 Person	71 sq.m	73 sq.m	5	0.7%
3 Bed 4 Person	74 sq.m	82 sq.m	83	11.5%
3 Bed 5 Person	86 sq.m	93 sq.m	30	4.1%

In terms of dwelling size, the National Described Space Standards can be used as a guide. It seeks minimum sizes of 39 – 50 square metres for 1 bedroom apartments; 61-70 square metres for a 2 bedroom apartment; and 74-95 sq.m for 3 bedroom apartments.

The majority of the one bedroom apartments would comply with the standards if they are only occupied by 1 person and the majority of the 2 bedroom units would only comply with a maximum of 3 person occupancy.

**Your Committee may wish to comment on the mix of accommodation and the dwelling sizes proposed**

#### Issue 4 – Impact of the tall building

As the proposed tower (Building 1) is more than 15 storeys the City Council's SPG on tall buildings 'High Places' (2003) applies. It advises that this site falls outside of both the Central Ridge Zone and other specified appropriate locations where tall buildings may be appropriate. Where applications for tall buildings fall outside of these areas a case for exceptional circumstances should be made. The site also falls outside of the amended boundary shown in the more recent non-statutory 2011 Big City Plan.

The SPG advises that tall buildings should:-

- respond positively to the local context and be of the highest quality in architectural form, detail and materials;
- not have an unacceptable impact in terms of shadowing and microclimate;
- help people on foot to move around safely and easily;
- be sustainable;
- consider the impact on local public transport; and
- be lit by a well-designed lighting scheme.

And where a case for exceptional circumstances is made all such proposals will be considered, on their merits, against current policies in the UDP (now BDP) and Supplementary Planning Guidance such as 'Places for All' SPG.

The Planning and Design and Access Statements argue that a tall building on the corner of High Street and Rea Street will:-

- mark the sense of arrival at Digbeth Coach Station, a key arrival point and major public interchange
- announce the transition to the new commercial area and public realm created along the river corridor by the development
- benefit from excellent visibility on approach to the City Centre along High Street – a key arterial route
- form a legible cluster of tall buildings in combination with the consented Beorma tower and the planned tall building as part of the Smithfield Masterplan

The tower contained within the current application would be 20 storeys tall, which is lower than both the 30 storey tower approved as part of the Beorma development and the 42 storey tower envisaged by the Smithfield Masterplan.

Shadowing and Microclimate assessments have been undertaken in relation to the scheme as originally submitted to demonstrate that there would be no adverse impact on the local environment.

**Your Committee may wish to comment on the scale and massing of the tall building and its impact on the skyline and character of the area, including the adjacent conservation area**

#### Issue 5 – Impact on the design and scale of the other buildings

The surrounding historic context largely consists of red brick, although there is variety along High Street including yellow brick, render and metal cladding. The general design approach of brickwork with regimented window placement is reflective of the existing context, with current or former industrial buildings a defining element of this part of the City Centre. The proposals show deep window reveals and modelling to the brickwork. In order to animate the street frontages the ground floor of the majority of the development would be either commercial units or residential entrances.

At ten stories Building 4 would be taller than most existing buildings at this point on High Street, with the scale proposed reflective of the degree of transformation envisaged for this part of Digbeth and acknowledging the width and primary status of High Street.

Building 3 drops in height to acknowledge both the scale of the listed White Swan and the tertiary nature of Birchall Street. The building's main frontage height to Bradford Street relates to the Harrison Drape development that is nearing completion, rising towards the city core adjacent to the river. There is a strong emphasis for red brick as the principal elevation treatment on Bradford Street, which is reflected in the choice of red brick for Building 3.

Building 2 would also mark the river with height, thereby having a direct relationship with Building 3. The use of dark brick would relate to the new tower and the use of dark cladding panels on the adjacent coach station.

**Your Committee may wish to comment on the appearance of the buildings and their impact on the character of the area**

#### Issue 6 - Impact upon designated heritage assets

In addition to the wider impact on the character of the conservation areas to the north and the setting of listed buildings in the wider area, the development would adjoin the Grade II listed Swan and Anchor public houses.

In recognition of the proximity to the White Swan public house Building 3 steps down to 4 stories in height to respect the scale and setting of this listed building. The development would also be set off the boundaries of the building to provide clear separation. The elevational treatment of the proposed buildings would principally be brick.

Building 2, directly across the road from the Anchor public house, would also be a brick building but would rise to a total of 8 storeys. The building would act as a marker for the southern end of the development between the river and Rea Street.

In respect of the character of the conservation area, the High Street elevation faces onto the conservation area's southern boundary. Building heights vary along High Street, with the Custard Factory (a 'grand' four storeys) and South and City College (four storeys) being the tallest in the vicinity.

In addition to the 20 storey tower, the proposed scheme would be 10 stories fronting onto the High Street. In relation to the scale of this element, the Design and Access Statement states that the width of the High Street commands buildings of a certain scale to signify the sense of arrival in the City Centre and to mark the crossing point of the River Rea. The statement adds that the status of the road as a key arterial route into the city also justifies the proposed scale. The statement also adds that the site is situated in an area of change, with the potential for development of a greater scale likely in the Southern Gateway area.

In addition, the tall building will be visible from a variety of locations within the conservation areas to the north, with the amended Heritage Statement setting out those locations affected by the development.

In respect of other listed buildings within the vicinity, the development will affect their setting to varying degrees depending upon their proximity to the development.

**Your Committee may wish to comment on whether impact on the surrounding heritage assets is justified**

#### Issue 7 – Residential Amenity

The proposed development would introduce a significant residential community into Digbeth. Securing an adequate standard of amenity for future occupiers is critical to the success of this development.

#### Noise

The supporting Noise Assessment considers noise from a variety of sources including noise generated by the plant proposed as part of this development, road traffic noise and entertainment noise. The prevailing noise environment has been established through on-site monitoring. The report finds that the predominant source of noise is road traffic noise from High Street, Bradford Street and Rea Street. Other additional contributions came from coaches accessing the Coach Station and people arriving and leaving entertainment venues within the vicinity.

The report concludes that a satisfactory environment can be created subject to the window specification meeting certain minimum requirements on the Bradford Street, Rea Street and High Street elevations. An alternative means of ventilation would need



to be provided. It should be noted that some apartments may experience noise levels such that they need to keep windows closed, particularly during the night time.

In relation to construction noise, the report concludes that the noise levels at the facades of existing noise sensitive properties would be within the recommended criteria. The report also concludes that plant associated with the development, when considered in the context of existing background noise levels, would fall within guidelines.

#### Air Quality

This application is supported by an Air Quality Assessment which is modelled from existing data utilising traffic data. The report concludes that a Dust Management Plan should be provided to mitigate construction impacts. In terms of the air quality to which future residents will be exposed, the report concludes that there are no predicted exceedances, with the only recommendation being to future improve air quality through measures to reduce travel by private vehicle (implementing a Travel plan and providing fully integrated pedestrian linkages).

#### Amenity Space

In addition to the extensive public realm delivered as part of the scheme a number of private amenity spaces will be created. The largest space would be provided as part of Building 3 above the proposed car park. This area, approximately 20m X 80m, would be bounded on all sides by the new building and the White Swan. Further amenity space is shown on the upper levels of this building as its height diminishes around the White Swan.

Building 4 would have its own south-facing amenity space that would be open to the new east/west route through the development with further spaces provided at the 8<sup>th</sup> floor.

Buildings 1 and 2 would also have areas of amenity space at the upper levels, with the 10<sup>th</sup> floor of Building 1 providing a large area along the Rea Street frontage.

The scheme would provide a total of approximately 4,500 sq.m of private amenity space.

#### Light and Outlook

Following negotiations with Officers the separation distances between buildings is as follows:

- Across the river – between 28m and 45m
- Building 1 to Building 2 (secondary elevations) - 11m
- Building 2 to Building 3 - 29m to 30m
- Building 3 (internal) – 11m to 20m
- Building 3 to 4 – 11m to 12m
- Building 4 (internal) – 16m to 29m

In addition, the upper floors of Building 3 have been cut back to acknowledge the existing windows to the rear of The White Swan.

**Your Committee may wish to comment on the residential amenity offered by the proposal and its impact upon the occupiers of adjacent buildings**

#### Issue 8 – Car Parking

The application includes provision for a total of 106 parking spaces (14.6%), the majority of which would be located within Building 3, hidden from the public realm. In addition 586 cycle parking spaces are shown spread across the development. The site is situated between High Street / Bradford Street, which are both key bus routes. New Street Station is around 800m walk from the site and Moor Street around 650m. In addition the proposed Birmingham Eastside Metro Tramway Extension would connect the existing network (Wolverhampton / Snow Hill / New Street) to the new High Speed 2 station, then to Digbeth. A tramstop is proposed on High Street directly outside of the application site. The application for this extension is currently with the Department for Transport.

**Your Committee may wish to comment on the level of proposed car parking/highway matters**

#### Issue 9 - Planning Obligations

Both the Birmingham UDP at saved paragraphs 8.50-8.54 and the BDP advise that the City Council will take all appropriate opportunities to negotiate planning obligations to enable development to proceed, and to secure the proper planning of the area. In addition, Community Infrastructure Levy Regulations have been introduced, which set out tests that planning obligations must meet. These tests are that they are necessary, directly related to the development and reasonably related in scale and kind to the development. Finally, the city has adopted a CIL charging schedule that requires contributions for certain categories of development.

The applicant has confirmed that the planning obligation offered with the development consists of public realm and public art works with a total cost of £2,030,000.00, most of which is on-site works.

Leisure Services have calculated the off-site Public Open Space and children's play contribution in accordance with the Public Open Space in new Residential Development SPD formula. This generates an overall contribution of £1,857,700.

No affordable housing is proposed. The BDP seeks a developer contribution of 35%, although the BDP acknowledges that where this target cannot be met this needs to be justified through a Viability Assessment. The developers will provide an updated assessment to justify their position (in response to the amendments to the scheme) and this will be subject to independent assessment.

As the site is within a low value residential area and the total area of convenience retail would be less than 2,700 sq.m (a maximum of 2,400 sq.m of A1 is proposed), the development would not be liable for a CIL contribution under the current charging schedule.

**Your Committee may wish to comment on the planning obligation offer**



*Fig. 3 – High Street Visual*



*Fig. 4 – Aerial View*





*Fig. 5 – White Swan*



*Fig. 6 – New (East/West) Central Street*



*Fig. 7 – High Street view*





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Notes	Date
1. Checked and approved by:	20/10/2018
2. On site and not in use:	20/10/2018
3. On site and in use:	20/10/2018
4. All information to be checked on site:	20/10/2018

Notes: This plan is for information only and does not constitute a contract. It is subject to change without notice. It is not to be used for any other purpose. It is not to be used for any other purpose. It is not to be used for any other purpose.

Client	Seven Capital Commercial Ltd
Project	Compass Square
Project Number	1496
Client Number	0000
Client Name	K
Location plan	
Drawn by	Frederick
Checked by	10/10/18
Drawn by	10/10/18
Checked by	10/10/18
Drawn by	10/10/18
Checked by	10/10/18

